

**ACADEMIC
ISSUES
COMMITTEE
MANUAL
(2006-2007)**

NJ PRESIDENTS' COUNCIL

*Compiled by
Office of Academic Affairs
New Jersey Commission on Higher Education*

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I. ACADEMIC ISSUES COMMITTEE OVERVIEW

A. Purpose and Statutory Basis

The New Jersey Presidents' Council has the responsibility to review new academic programs. It makes recommendations to the New Jersey Commission on Higher Education concerning proposals for new degree programs that exceed the programmatic mission of an institution. Programmatic mission is defined as the level of academic degrees that an institution has been authorized to offer.

The New Jersey Presidents' Council is also responsible for reviewing and commenting on proposals for new degree programs that demand significant added resources or raise significant issues of duplication but do not exceed the programmatic mission of the institution or require a change in the programmatic mission.

Upon referral from the Commission on Higher Education, the Presidents' Council is also responsible for providing recommendations concerning institutional licensure, a change in the programmatic mission of an institution, and university status.

The Academic Issues Committee is charged with making recommendations to the Presidents' Council in each of these three areas. Its primary purpose is oversight of the review of new academic programs on the basis of undue cost, duplication, and exceeding or changing of the programmatic mission.

B. Membership and Calendar Information

- Appendix A contains a current membership list of the Academic Issues Committee with contact information.
- Appendix B presents a current calendar for the Committee.
- Appendix C contains a list of institutions by authorized mission level.

II. CHANGES TO ACADEMIC PROGRAMS REQUIRING ACADEMIC ISSUES COMMITTEE REVIEW AND ACTION

A. Initiating a New Academic Degree Program

1. Steps in the Process

All degree granting institutions, including the eleven independent institutions that do not receive direct state aid but excluding those institutions that are explicitly identified as "exempt" owing to the date of their charters (prior to April 1, 1887), will prepare a Program Announcement (PA) for every new degree program under consideration.

The PA will solicit comments from other institutions of higher education and facilitate the work of the Presidents' Council. A list of the information required for inclusion in the PA is provided in Section II.A.3a (page 4).

Charter Institutions:



- Centenary College
- Drew University
- Princeton Theological Seminary
- Princeton University
- Saint Peters College
- Seton Hall University
- Stevens Institute of Technology

The institution is responsible for distributing the PA to the presidents of New Jersey higher education institutions. Institutions are provided the opportunity to comment on issues related to program duplication, cost, mission, and related matters. According to N.J.S.A. 18A:3B-8, programs that demand significant added resources or raise significant issues of duplication of offerings with other institutions are subject to review by the Presidents' Council and the Commission on Higher Education as are programs at a level higher than authorized by programmatic mission for the institution.

Objections must be communicated to the proposing institutions within thirty days of the postmarked mailing date. They must be substantive and relate to matters of program duplication, available resources, and programmatic mission.

If objections are raised within the designated period, the proposing and objecting institutions should make every effort to resolve their differences informally in furtherance of the stated objective of interinstitutional cooperation. If the differences cannot be resolved in this manner, the documentation with respect to objections will become part of the material forwarded to the Presidents' Council for review.

The institution is then charged with engaging an independent external consultant to conduct a site visit, review the proposed program and prepare a written report following the guidelines provided in Appendix D. The selected consultant should have no past or present professional relationship with the institution proposing a new program that might imply a (perceived or real) conflict of interest. Criteria for the selection of an external consultant are outlined in Table 1. The consultant's report must be structured according to the guidelines in Appendix D.

TABLE 1 – *Consultant Selection Criteria*

The following criteria should be considered in the selection of an external consultant:

1. Appropriate terminal degree in relevant field from an accredited institution.
2. Academic or appropriate professional experience (administration and/or teaching) in the field.
3. Research experience (where appropriate):
 - a. Publications such as books and articles in refereed journals.
 - b. Recipient of research grants from external funding sources such as government agencies and foundations.
4. Appropriate professional experience in relevant field(s) if program to be reviewed has professional orientation (e.g., engineering, social work, law).
5. Knowledge of the state of the art of the field.
6. Familiarity with standards for academic programs developed by professional accrediting agencies.
7. Familiarity with existing programs.
8. Awareness of employment possibilities of graduates.
9. Knowledge of budgeting and financial matters - of critical importance if program to be reviewed would be expensive or represent a major shift in an institution's educational mission.
10. Experience in evaluating academic programs.

The institution's governing board must pass a resolution approving the new program. The resolution must be dated.

The institution then forwards the complete file to the Chair of the Academic Issues Committee. The file should contain the PA (including the *Program Announcement Cover Sheet*, Appendix E), the governing board's resolution, the consultant's report, the institution's response to the consultant, and the new program checklist. If objections were raised, comments from the objecting institutions, responses from the proposing institutions, and information regarding any efforts at reconciliation should be included.

2. Possible Outcomes

- a. If the Academic Issues Committee determines that no problem exists with a proposed program, it will make a favorable recommendation to the Presidents' Council. If the President's Council concurs, the result of a favorable review will be conveyed to the proposing institution within fifteen days and the program may be implemented.

Notification of the favorable review of all new degree programs will be sent by the Presidents' Council to the higher education community for information and to the Commission on Higher Education and to the New Jersey State Department of Military and Veterans Affairs for record-keeping purposes. A current inventory of authorized degree programs is available on the Commission's website at: www.state.nj.us/highereducation/searchpi.htm

- b. If the Academic Issues Committee identifies a concern with respect to a proposed program exceeding or changing an institution's programmatic mission, it will make a recommendation to the Presidents' Council which, in turn, will make a recommendation to the Commission on Higher Education which is responsible for final administrative decisions in this area. A list of institutions by authorized program mission level can be found in Appendix C.
- c. If the Academic Issues Committee identifies a concern with respect to a proposed program being unduly expensive or duplicative but not exceeding an institution's programmatic mission, it will review and comment on the program, and may seek to resolve the differences through informal mediation or more formal steps, e.g., a hearing with appropriate notice.

The Academic Issues Committee will make a recommendation to the Presidents' Council. If the Council then determines that the program is unduly costly or duplicative, it will be referred to the Commission on Higher Education for review. If the Commission does not disapprove of the program within sixty days, the governing board's action will stand.

3. Required Documents

- a. Program Announcement. The PA which must be circulated to all licensed New Jersey higher education institutions, must contain a cover page (Appendix E) and narrative/descriptive information on the following:
- 1) Objectives. Briefly summarize the program and indicate its objectives, e.g., the nature and focus of the program, the knowledge and skills students will acquire, any cooperative arrangements with other institutions or external agencies in offering the program.
 - 2) Need. Provide justification of the need for this program.
 - a) If the program falls within the liberal arts and sciences and does not specifically prepare students for a career, provide evidence of student demand and indicate opportunities for students to pursue advanced study (if the degree is not terminal with regard to further education).

- b) If the program is career-oriented or professional in nature, provide evidence of student demand, labor market need, and results of prospective employer surveys. Report labor market need as appropriate on local, regional, and national bases. Specify job titles and entry-level positions for program graduates, and/or indicate opportunities for graduates to pursue additional studies.
 - c) Describe the relationship of the program to institutional master plans and priorities.
 - d) List similar programs within the state and in neighboring states and compare this program with those currently being offered.
 - e) For doctoral programs only, supply a select list of distinguished programs nationally in this discipline.
- 3) Students. Estimate anticipated enrollments from the program's inception until a steady state or optimum enrollment is reached.
- 4) Program Resources. Briefly describe the additional resources needed to implement and operate the program during the program's first five years, e.g., the number of full-time faculty, number of adjunct faculty, computer equipment, print and nonprint material.
- b. Degree Requirements. Provide an outline of the curriculum, including a list of the proposed courses and credits per course. Indicate the total number of credits in the degree program and, for undergraduate programs, the number of general education credits.
 - c. Consultant Report. The consultant should submit a written evaluation of the program that includes a specific recommendation to the institution. The narrative of the report should cover the following areas: objectives, need for the program, educational programs, students, faculty, support personnel, finances, physical facilities, library, computer facilities, administration, and evaluation. For more detailed instructions refer to Appendix D – *Consultant Report Guidelines*.
 - d. New Program Checklist. Institutions must complete a New Program Checklist to confirm that all the items have been submitted to the Academic Issues Committee. (Appendix F, *New Program Checklist*)

B. Converting an Option or Concentration to Full Program Status

When an institution proposes the establishment of a new degree program, whether or not the program existed previously as an option, the institution must follow the New Degree Program Review Process adopted in December 1994.

The institution requesting the conversion of an existing option/concentration to full program status must send a Program Announcement (PA) to all other New Jersey institutions of higher education.

- The PA should follow the same format and contain the same basic information as the PA for new academic degree programs.
- Review of the converted option/concentration by an external consultant is optional.

An institution may request a waiver from the full process for approval of a new degree. To do so, it must provide documentation to the Academic Issues Committee on the extent of the change proposed, including a history of the option/program, enrollment patterns, courses offered and faculty needs by following the format provided in Appendix G (*Converting Options/Concentrations Waiver*). The Academic Issues Committee will review requests for waivers on a case-by-case basis.

C. Changing a Degree Designation

An institution seeking a change in degree designation (e.g., B.A. to B.S.) must submit the following material to the Academic Issues Committee: a letter indicating why the modification of degree designation is desired and why it does not fundamentally change the purpose of the program; a record of any significant changes in the old degree designation during the previous five years; and the proposed changes in the courses required for the degree.

The committee will evaluate the material provided and assess whether the following two conditions exist:

- There is a fundamental change in the purpose of the program.
(e.g., a B.A. in Music that has a liberal arts orientation cannot be changed to a B.S. in Music with an applied music orientation. However, a B.A. in Graphic Design might be changed to a B.S. in Graphic Design because the field required the addition of technical courses.)
- More than 25% of the courses required in the major with the new degree designation will differ from those in the major with the old degree designation. General education and free elective courses are excluded from consideration. Fractions of courses are rounded up. Requests for changes in degree designations for doctoral programs will be evaluated on a case-by-case basis.

If the committee determines that there is a change in the fundamental purpose of the program and/or more than 25% of the courses in the major will change with the new degree designation, the institution must follow the New Degree Program Review Process adopted in December 1994. All steps specified in Section II.A. must be followed, including sending a Program Announcement (PA) to all other New Jersey institutions of higher education.

If the committee determines that neither condition is met, the committee will accept the change as an informational item and forward it to the Commission on Higher Education as the repository of information about program status.

D. Locating an Existing Degree Program at an Approved Branch Campus

Institutions are required to inform one another about off-campus programs, particularly in the county or region most likely to be impacted, and to address on an informal basis any concerns raised.

The institution is also expected to inform the Presidents' Council and, for recordkeeping purposes, the New Jersey Commission on Higher Education. The institution must provide relevant background information on the move to the Academic Issues Committee, including evidence that the institution has the resources necessary to offer the program at the new site. The Academic Issues Committee will review the information submitted by the institution with respect to issues related to program duplication, resources and mission, and make a recommendation to the Presidents' Council

- E. Offering a Joint Degree Program Originally Approved to Be Offered by Only One Institution
The institutions will inform the higher education community and provide information on the change in program status to the Academic Issues Committee, including evidence that the institution new to the program has the capacity (e.g., faculty, equipment) to offer the degree. In instances where the degree represents a significant change for the second institution, a consultant review of the proposed affiliation may be appropriate. The Academic Issues Committee will review the information submitted by institution with respect to issues related to program duplication, resources, and mission and make a recommendation to the Presidents' Council.
- F. Offering Independently a Degree Program Originally Approved as a Joint Degree Program
The institutions will inform the higher education community and address any concerns raised on an informal basis. It will provide information on the change in program status to the Academic Issues Committee, including evidence that the institution has the capacity (e.g., faculty, enrollment history, courses, equipment.) to offer the degree on a stand-alone basis. The Academic Issues Committee will review the information submitted by the institution with respect to issues related to program duplication, resources, and mission and make a recommendation to the Presidents' Council.
- G. Adding a New Partner Institution to an Existing Associate /Baccalaureate Degree Joint Professional Program with UMDNJ

UMDNJ and its existing partners will enter into discussions with the potential new partner and ascertain the (1) need within the program that the new partnership will fill, (2) whether the program is within the mission of the proposed new partner, (3) the ability of the new partner to offer the required general education courses, (4) general issues of faculty and student services, and (5) the impact, if any, on the new partner. If the criteria are met, a Memorandum of Understanding will be developed and signed by presidents of both institutions. The governing body of the new partner must review and approve the collaboration by resolution.

UMDNJ will circulate a notification about the proposed new partnership to all institutions of higher education in the state. The notification should include:

- a history and description of the current program and partnerships involved
 - the reason for the new partnership
 - the role of each institution in delivering the program and
 - the approximate number of students expected to enroll through the new partnership.
- Comments are to be requested concerning duplication, cost and mission. If any objections are raised, UMDNJ will make every effort to resolve the issues.

UMDNJ will submit the following required information to the Academic Issues Committee:

- a copy of the governing body's resolution
- a copy of notification to all institutions of higher education and all comments received in response
- documentation of objections, if any, from other institutions, UMDNJ's response and the outcome

- a statement concerning UMDNJ's review of the new partner's general education courses required for the program and the faculty who will teach them
- the new partner's analysis of the impact, if any, of the partnership on its current academic programming and resources
- discussion of expected number of additional students and the ability of UMDNJ to accommodate them in the professional part of the program with existing or new resources and
- assurance concerning the Memorandum of Understanding and its contents.

The Academic Issues Committee will review the submitted information with respect to issues related to program duplication, resources, and mission and make a recommendation to the Presidents' Council.

III. CHANGES TO ACADEMIC DEGREE AND CERTIFICATE OFFERINGS REQUIRING ACADEMIC ISSUES COMMITTEE NOTIFICATION

A. Termination of a Program

1. If an institution decides to terminate a program, that action will be formally accomplished by a resolution of the governing board.
2. A copy of the resolution will be sent to the Academic Issues Committee for its information and to the Commission on Higher Education as the repository of information about program status.

B. Change in Nomenclature

1. A change in nomenclature involves no alteration in the degree designation (e.g., B.A. to B.S.) or in the curriculum, admission, or graduation standards. It is simply a change in the name of the major to better reflect the program's purpose and content.
2. If an institution decides to change the nomenclature of a program, that action will be formally accomplished at the college or university level.
3. Nomenclature changes must be sent to the Academic Issues Committee for its information and to the Commission on Higher Education as the repository of information about program status.

C. Initiation of a Program Option

1. If an institution decides to introduce a new program option, that action will be formally accomplished pursuant to the process in place at the institution for the approval of options. *[NOTE TO COMMUNITY COLLEGES: Options to A.A.S. programs shall not differ by more than 18 credits from the base program. Normally, options should differ from the base program by at least 12 credits, but an option that differs by 9 credits may be acceptable if it demonstrates a clear change in program emphasis.]*
2. Notice of the new option should be sent by the institution to the Academic Issues Committee for its information, to the Commission on Higher Education as the repository of information about program status, and to the New Jersey State Department of Military and Veterans Affairs.

The address and phone number for the Commission on Higher Education is: 20 West State Street, P.O. Box 542, Trenton, NJ 08625; (609) 292-4310.

The address and phone number for the Department of Military and Veterans Affairs is: State Approving Agency, Eggert Crossing Road, P.O. Box 340, Trenton, NJ 08625; (609) 530-6849.

D. Certificate Offerings: Initiation, Change in Nomenclature, or Termination

1. If an institution decides to initiate a new certificate offering, change the nomenclature or terminate an existing certificate program, those actions will be formally accomplished by a resolution of the governing board.

[NOTE TO COMMUNITY COLLEGES: Certificate programs shall consist of 30-36 credits, including 6 credits of general education. While community colleges may offer certificates of less than 30 credits, it is recommended that the colleges consider giving these course clusters a name that differentiates them from a certificate; for example, some community colleges refer to clusters of courses as Certificates of Achievement.]

2. A copy of the resolution will be sent to the Academic Issues Committee for its information and to the Commission on Higher Education as the repository of information about program status.

IV. OTHER REVIEWS IN WHICH ACADEMIC ISSUES COMMITTEE PARTICIPATES

A. Licensure/Relicensure

1. Authority and Procedures
 - a. Authority for licensure is by statute vested in the Commission on Higher Education (N.J. S.A. 18A:68-3). No entity may offer credit-bearing courses or degree programs in the state until it has obtained a license from the Commission. New Jersey Administrative Code (N.J.A.C.) 9A – Higher Education contains the Licensure Rules (see Appendix H).
 - b. For in-state institutions that are accredited by the Middle States Association of Colleges and Schools (MSA), the Association for Advanced Rabbinical and Talmudic Schools (AARTS), or the Association of Theological Schools (ATS), the Commission accepts reaffirmation of accreditation as sufficient for continued licensure provided that the institution meets conditions specified in Administrative Code. Typically, Commission staff participate in such accreditation visits.
 - c. In the following cases, the Commission conducts separate licensure reviews:
 - 1) Licensure for new in-state institutions or non-MSA/AARTS/ATS-accredited in-state institutions
 - 2) Licensure of any out-of-state institution
2. Steps in the Process **(For additional information about the licensure process, please contact the Office of Academic Affairs at the New Jersey Commission on Higher Education.)**
 - a. Institutions interested in obtaining licensure submit a petition based on the Licensure Rules and Guidelines for Preparing a Licensure Petition.
 - b. Commission staff conduct a preliminary review of a petition and may request additional information.
 - c. Upon receipt of a complete petition from an out-of-state institution or an in-state institution seeking initial licensure, staff send a memorandum summarizing the petition to all New Jersey higher education institutions. Institutions have 60 days to comment.
 - d. Commission staff review the petition and any comments submitted by in-state institutions, usually with the assistance of an external consultant or team of consultants that is mutually acceptable to the institution and Commission staff. Staff identify appropriate consultants from comparable institutions in states other than New Jersey or the out-of-state institution's state and send their resumes to the petitioning institution to ascertain if they are acceptable.
 - e. The team of consultants reviews the petition and other materials submitted and, accompanied by Commission staff, conducts a review at the proposed site.

- f. Based on their review of the petition and the results of the site visit, the consultants write a report describing whether the petitioning institution's proposed offerings meet state licensure standards in the following areas:
- 1) Mission statement and long-range plan
 - 2) Organization and administration
 - 3) Finances
 - 4) Faculty
 - 5) Library
 - 6) Students and student services
 - 7) Physical facilities
 - 8) Official publications
 - 9) Degree programs

The consultants can recommend (1) approval of the petition, (2) approval contingent upon modifications, or (3) nonapproval.

- g. The institution receives a copy of the consultants' report and is asked to provide a written response to it. If modifications are recommended, the institution must state how it will address them.
- h. If the institution wishes to continue with the process, Commission staff send a summary of the petition and all pertinent materials, with a staff recommendation, to the Academic Issues Committee of the Presidents' Council.
- i. The Academic Issues Committee must review the petition in the context of the licensure standards cited above. Members of Academic Issues Committee assess whether, based on the review, the institution satisfies the licensure standards listed above and make a recommendation to the Executive Committee or full Presidents' Council. Presidents' Council is in turn responsible for making a recommendation to the Commission concerning the licensure of the institution within 60 days of receiving the information submitted by the Commission.

Licensure and new program review are two separate processes with different purposes, criteria, and characteristics. New program review involves assessment of cost and duplication because state resources are at stake. But cost and duplication are not licensure standards (and duplication cannot be because of the "commerce clause" of the United States Constitution), although Commission staff do carefully examine the issue of "need" in the case of licensure petitions from out-of-state institutions or in-state institutions seeking initial licensure to grant degrees.

- j. After Presidents' Council's action, staff provide members of the Commission on Higher Education with a memorandum summarizing the petition, comments from in-state institutions, the external consultants' findings and recommendations, and the recommendations of Commission staff and Presidents' Council. Staff also provide Commissioners with a resolution for action on the petition.

The Commission assesses whether the petitioning institution's proposed offerings serve a demonstrable need, are in accordance with the Commission's long-range plan for higher education, are fiscally viable, and meet the state licensure standards cited above. The Commission then votes on the licensure resolution.

B. Establishment of a Branch Campus

1. Definition. A branch campus for a New Jersey institution is "a physical facility located at a place other than the institution's principal campus offering one or more complete programs leading to a degree." A branch campus in New Jersey requires approval by the Commission on Higher Education.
2. Steps in the Process
 - a. Standards for branch campuses are specified in N.J.A.C. 9A:1-6.2. **For guidelines about preparing a branch campus petition, please contact the Office of Academic Affairs at the New Jersey Commission on Higher Education.**
 - b. When the Commission receives a request for approval of a branch campus, staff provide to all New Jersey institutions of higher education a summary of the request and invite them to inform the Commission within 30 days as to how they would be affected by the proposed branch campus. Commission staff, usually with the assistance of external consultants who are mutually acceptable to the institution and Commission staff, review the proposal according to the standards specified.
 - c. If no concerns are raised about the proposal during the 30-day comment period, staff forward the request directly to the Commission for action. If other institutions raise concerns about the proposal, Commission staff forward all materials to the Presidents' Council for review and recommendation to the Commission within 60 days. Members of the Academic Issues Committee assess whether the institution has met the Administrative Code standards for a branch campus and the effect of the proposed campus on other institutions.
 - d. An institution proposing to offer at a branch campus a degree program not previously offered at the main campus submits that program for Presidents' Council review, as required for any new program.

C. Distance Learning

1. Program Review and Approval for New Jersey Institutions
 - a. As is currently the practice with traditionally offered programs, if a New Jersey institution wishes to offer a new degree program through distance learning, the program will be subject to the Presidents' Council's new program review process described in Section II of this document.
 - b. Distance learning degree programs offered at newly established off-campus sites are subject to the review or approval that is required for all programs at such off-campus sites; see Subchapter 6 of the Licensure Rules.

- c. Commission approval for distance learning programs offered by New Jersey institutions is required only if the Presidents' Council refers these program for Commission consideration due to an institution's changing or exceeding its mission or due to excessive program cost or unnecessary duplication.
 - 2. Approval for Out-of-State Institutions
 - a. Out-of-state institutions that wish to offer credit-bearing distance learning with a physical presence in New Jersey must first be licensed by the Commission, with advice from the Presidents' Council. The review process is identical to that described in this document (Section IV.A. Licensure/Relicensure).
 - b. "Physical presence,' means that an entity offers credit-bearing courses from or conducts some portion of the learning experience at a location established in New Jersey by the entity, whether established directly or under the auspices of another entity."
 - c. After an out-of-state institution receives initial licensure by the Commission to offer a distance learning course(s) or degree program(s) in New Jersey, the Presidents' Council reviews any additional course(s) or program(s) that the institution wishes to offer with a physical presence in the state. The review process is identical to that for other new degree programs.
- D. Exceeding/Changing Mission
 - 1. Responsibilities of Presidents' Council and Commission
 - a. The Presidents' Council has responsibility to "review and make recommendations to the Commission concerning proposals for new programs that exceed the programmatic mission of an institution or that change the programmatic mission of an institution" (New Jersey Statutes Annotated [N.J.S.A.] 18A:3B-8.b.).
 - b. The Commission is responsible for "final administrative decisions over new academic programs that go beyond the programmatic mission of the institution and final administrative decisions over a change in the programmatic mission of an institution."
 - c. New Jersey Administrative Code defines "programmatic mission" as "all program offerings consistent with the levels of academic degrees or certificates that the institution has been authorized to grant by the State Board of Higher Education prior to July 1, 1994, or approved thereafter by the Commission." A chart in the appendices presents current programmatic mission by institution (see Appendix C).
 - 2. Exceeding Programmatic Mission
 - a. A New Jersey institution proposing a new degree program that exceeds its programmatic mission first takes the petition through the Presidents' Council's new program review process. If members of the Academic Issues Committee determine that the program exceeds the level of academic degrees that the institution is authorized to grant, it so informs Presidents' Council, which must review and make a recommendation to the Commission on that program.

- b. Commission staff, usually with the assistance of consultants who are mutually acceptable to the institution and staff, will evaluate an institution's request to exceed its programmatic mission according to the following criteria. **Please contact the Office of Academic Affairs at the New Jersey Commission on Higher Education for information about the review process.**
 - 1) The objectives of the proposed program(s);
 - 2) The relationship of the proposed program(s) to the current institutional mission and the statewide plan for higher education;
 - 3) Demonstration of need for the program(s), including present and projected student demand for graduates;
 - 4) The effect of the proposed program(s) on existing programs at other institutions;
 - 5) The dedication of sufficient resources to implement and maintain the program(s) without eroding the quality of ongoing programs;
 - 6) Appropriately qualified students, faculty, and administrators;
 - 7) The quality of library holdings, facilities, and equipment; and
 - 8) Evidence of strength compared with similar programs in the region and state.
 - c. Staff provide members of the Commission on Higher Education with a memorandum summarizing the petition, the external consultants' findings and recommendations, and the recommendations of Commission staff and Presidents' Council. Staff also provide Commissioners with a resolution for action on the petition. The Commission then votes on the resolution.
3. Changing Programmatic Mission
- a. New Jersey institutions seeking to change their programmatic mission must first petition the Commission for approval. The institution specifies the scope of the proposed change, including long-range plans for mounting new degree programs that exceed the level of academic degrees currently authorized for the institution. Commission staff review the request with the assistance of external consultants who are mutually acceptable to the institution and Commission staff. **For information on the review process, please contact the Office of Academic Affairs at the New Jersey Commission on Higher Education.**
 - b. Requests to change an institution's programmatic mission are evaluated based on the following eight criteria:
 - 1) The objectives of the proposed mission change;
 - 2) The relationship of the proposed mission change to the current institutional mission and the statewide plan for higher education;
 - 3) Demonstration of need for the mission change, including present and projected student demand and demand for graduates;
 - 4) The effect of the proposed mission change on existing programs at other institutions;
 - 5) The dedication of sufficient resources to implement and maintain the proposed mission change without eroding the quality of ongoing programs;
 - 6) Appropriately qualified students, faculty, and administrators;
 - 7) The quality of library holdings, facilities, and equipment; and
 - 8) Evidence of strength compared with similar institutions in the region and state.

- c. If, according to the evaluation, the institution satisfies the stated criteria, Commission staff send the request and all pertinent materials to the Presidents' Council for review and recommendation to the Commission. The Academic Issues Committee's recommendation to the Executive Committee or full Presidents' Council is based on its assessment of whether the institution meets the stated criteria for a change in programmatic mission.
 - d. Staff provide members of the Commission on Higher Education with a memorandum summarizing the petition, the external consultants' findings and recommendations, and the recommendations of Commission staff and Presidents' Council. Staff also provide Commissioners with a resolution for action on the petition. The Commission then votes on the resolution.
- E. University Status
1. Authority. The Higher Education Restructuring Act of 1994 charges the Commission with making "final administrative decisions over university status giving due consideration to the accreditation status of the institution" (N.J.S.A. 18A:3B-14.d.).
 2. Steps in the Process
 - a. The petitioning institution submits a fully documented proposal to the Commission. Staff, with the assistance of consultants who are mutually acceptable to the institution and Commission staff, conduct a review of the proposal according to the procedures stipulated and the criteria specified in Subchapter 3 of the Administrative Code. **For information about the process for seeking university status, please contact the Office of Academic Affairs at the New Jersey Commission on Higher Education.**
 - b. The Commission provides the Presidents' Council with all pertinent materials (the proposal, consultants' report and recommendation, institution's response) compiled on behalf of the subject institution, and the council must then make a recommendation to the Commission within 60 days of receipt of the information.
 - c. Based on a review of the materials submitted, the Academic Issues Committee assesses whether the institution has satisfied the university status criteria specified in Subchapter 3 of the Administrative Code and makes a recommendation to the Executive Committee or full Presidents' Council.
 - d. Staff provide members of the Commission on Higher Education with a memorandum summarizing the petition, the external consultants' findings and recommendations, and the recommendations of Commission staff and Presidents' Council. Staff also provide Commissioners with a resolution for action on the petition. The Commission then votes on the resolution.

APPENDICES

- A. Academic Issues Committee Membership/Contact List
- B. Academic Issues Committee Meeting Schedule
- C. New Jersey Public and Independent Degree-Granting Institutions by Mission Level
- D. Consultant Report Guidelines
- E. Program Announcement Cover Page
- F. New Program Checklist
- G. Converting Options/Concentrations Waiver
- H. Licensure Rules

ACADEMIC ISSUES COMMITTEE MEMBERSHIP/CONTACT LIST [2006-2007]

<p>Dr. William Austin President Warren Community College 475 Route 57 West Washington, NJ 07882-4343 908-835-2316 / 908-689-7488 fax austin@warren.edu</p>	<p>Dr. Harold Y. McCulloch President DeVry University 630 US Highway One North Brunswick, NJ 08902-3362 732-435-4855 / 732-435-4856 fax hmccullo@nj.devry.edu</p>
<p>Ms. Marguerite Beardsley <i>[Ex-Officio Member, CHE Rep.]</i> Acting Director, Academic Affairs New Jersey Commission on Higher Education P.O. Box 542 Trenton, NJ 08625-0542 609-292-2955 / 609-292-7225 fax marguerite.beardsley@che.state.nj.us</p>	<p>Dr. Priscilla Nelson Provost, Senior VP Academic Affairs New Jersey Institute of Technology University Heights Newark, NJ 07102-1982 973-596-3220 / 973-642-4079 fax pnelson@njit.edu</p>
<p>Mr. James Burkley Office of Academic Planning Rutgers, The State University 85 Somerset Street - Geology Hall New Brunswick, NJ 08901-1281 732-932-7956 / 732-932-1268 fax burkley@instres.rutgers.edu</p>	<p>Dr. Karen Putterman Vice President of Academic Affairs University of Medicine and Dentistry of New Jersey 65 Bergen Street, Room 1441 Newark, NJ 07107-3001 973-972-4380 / 973-972-7596 fax putterka@umdnj.edu</p>
<p>Dr. Susan A. Cole President Montclair State University Valley Road and Normal Avenue Upper Montclair, NJ 07043 973-655-4211 / 973-655-7195 fax susan.cole@montclair.edu</p>	<p>Dr. Mordechai Rozanski President Rider University 2083 Lawrenceville Road Lawrenceville, NJ 08648 609-896-5001 / 609-895-5681 fax mrozanski@rider.edu</p>
<p>Dr. Dawood Farahi President Kean University 1000 Morris Avenue Union, NJ 07083 908-737-7000 / 908-737-7007 fax dfarahi@kean.edu</p>	<p>Sr. Francis Raftery, S.C. President College of Saint Elizabeth 2 Convent Road Morristown, NJ 07960-6989 973-290-4475 / 973-290-4485 fax president@cse.edu</p>
<p>Dr. Mildred Garcia President Berkeley College 44 Rifle Camp Road West Paterson, NJ 07424-0440 212-986-4343 ext. 105 / 212-986-8901 fax millieg@berkeleycollege.edu</p>	<p>Mrs. Allison Samay, Esq. <i>[NJ Pres. Council Contact]</i> Director, NJ Presidents' Council P.O. Box 36 Mountain Lakes, NJ 07046 973-334-2981 / 973-334-2982 fax asamay@optonline.net</p>
<p>Dr. Carlos Hernandez <i>[AIC Chair]</i> President New Jersey City University 2039 Kennedy Boulevard Jersey City, NJ 07305-1597 201-200-3111 / 201-200-2352 fax chernandez@njcu.edu</p>	<p>Dr. Judith K. Winn President Bergen Community College 400 Paramus Road Paramus, NJ 07652 201-447-7237 / 201-447-9042 fax jwinn@bergen.edu</p>
<p>Sr. Theresa Mary Martin, CSSF President Felician College 262 South Main Street Lodi, NJ 07644-2117 201-559-6022 / 973-365-0998 fax martint@inet.felician.edu</p>	<p>Dr. Edward J. Yaw <i>[Ex-Officio Member, PC Chair]</i> President County College of Morris 214 Center Grove Road Randolph, NJ 07869 973-328-5030 / 973-328-5026 fax eyaw@ccm.edu</p>

ACADEMIC ISSUES COMMITTEE MEETING SCHEDULE [2006-2007]

DEADLINES DATES FOR SUBMITTING MATERIALS	AIC MEETING DATE AND TIME	AIC MEETING LOCATION	PRESIDENTS' COUNCIL MEETING DATE
September 11, 2006	Fri., October 13, 2006 @ 1:00 p.m.	NJCU	October 23, 2006 (Full)
October 2, 2006	Fri., November 3, 2006 @ 2:00 p.m.	Teleconference	November 13, 2006 (Executive)
October 30, 2006	Fri., December 1, 2006 @ 2:00 p.m.	Teleconference	December 11, 2006 (Executive)
January 3, 2007	Fri., February 2, 2007 @ 2:00 p.m.	Teleconference	February 21, 2007 (Full)
January 29, 2007	Fri., March 2, 2007 @ 2:00 p.m.	Teleconference	March 19, 2007 (Executive)
March 12, 2007	Fri., April 13, 2007 @ 2:00 p.m.	Teleconference	April 23, 2007 (Executive)
April 23, 2007	Fri., May 25, 2007 @ 2:00 p.m.	Teleconference	June 4, 2007 (Full)

NEW JERSEY PUBLIC & INDEPENDENT DEGREE-GRANTING INSTITUTIONS BY MISSION/DEGREE LEVEL
 Prepared by New Jersey Commission on Higher Education
 September 2005

SECTOR/INSTITUTION:	MISSION LEVEL:						NOTES:
	Associate	Bachelor's	Master's	Post-Master's	1 st -Professional	Doctoral	
COMMUNITY COLLEGES:							
Atlantic Cape Community College	X						
Bergen Community College	X						
Brookdale Community College	X						
Burlington County College	X						
Camden County College	X						
Cumberland County College	X						
Essex County College	X						
Gloucester County College	X						
Hudson County Community College	X						
Mercer County Community College	X						
Middlesex County College	X						
Morris, County College of	X						
Ocean County College	X						
Passaic County Community College	X						
Raritan Valley Community College	X						
Salem Community College	X						
Sussex County Community College	X						
Union County College	X						
Warren County Community College	X						
STATE COLLEGES AND UNIVERSITIES:							
College of New Jersey, The				X			
Kean University				X			
Montclair State University			X				Authorized to exceed mission to offer: Ed.D./ pedagogy - 10/98 Doctor of Environmental Mgmt. - 3/03 Sc.D. / audiology - 07/05
New Jersey City University				X			
Ramapo College of New Jersey		X					Authorized to exceed mission to offer: M.A./ liberal studies - 6/94 (B.H.E.) M.S./ educational technology - 11/97 M.B.A./ - 11/98 M.S.N./ nursing education – 06/01 (jointly w/UMDNJ)
Richard Stockton College of New Jersey			X				Authorization to change mission – 11/97
Rowan University				X			Authorized to exceed mission to offer: Ed.D./ educational leadership - 2/97
Thomas Edison State College			X				
William Paterson University of New Jersey			X				
PUBLIC RESEARCH UNIVERSITIES:							
New Jersey Institute of Technology						X	
Rutgers University						X	
University of Medicine & Dentistry of New Jersey						X	

State law (N.J.S.A. 18A:64A-1) restricts community colleges to programs of instruction that extend not more than two years beyond high school.

NEW JERSEY PUBLIC & INDEPENDENT DEGREE-GRANTING INSTITUTIONS BY MISSION/DEGREE LEVEL
 Prepared by New Jersey Commission on Higher Education
 September 2005

SECTOR/INSTITUTION:	MISSION LEVEL:						NOTES:
	Associate	Bachelor's	Master's	Post-Master's	1 st -Professional	Doctoral	
INDEPENDENT COLLEGES AND UNIVERSITIES:							
Bloomfield College		X					
Caldwell College			X				
Centenary College *			X				
Drew University *						X	
Fairleigh Dickinson University						X	
Felician College			X				Authorization to change mission – 4/95
Georgian Court University			X				
Monmouth University			X				
Princeton University *						X	
Rider University			X				Authorized to exceed mission to offer: Ed.S./ school psychology - 10/97 Ed.S./ counseling services - 11/97
Saint Elizabeth, College of			X				
Saint Peter's College *			X				
Seton Hall University *						X	
Stevens Institute of Technology *						X	
RELIGIOUS INSTITUTIONS:							
Assumption College for Sisters	X						
Beth Medrash Govoha					X		
New Brunswick Theological Seminary					X		Authorized to exceed mission to offer: D.Min./ metro-urban ministry-2/98
Princeton Theological Seminary *						X	
Rabbi Jacob Joseph School		X					
Rabbinical College of America		X					
Somerset Christian College	X						
Talmudical Academy		X					
DEGREE-GRANTING PROPRIETARY SCHOOLS[†]:							
Berkeley College	X						Authorized to exceed mission to offer: B.S./business administration-5/01 B.S./fashion marketing and management- 11/03 B.S./management-5/05
Gibbs College	X						

* These institutions (by virtue of their pre-1887 charters) are not required to receive Commission on Higher Education approval for their programs (N.J.S.A. 18A:68-6); mission level shown represents highest current offering.

† DeVry University (licensed to offer associate and bachelor's degrees) and University of Phoenix (licensed to offer bachelor's degrees) are not included in the list because they are out-of-state institutions. Any new degrees offered at these institutions are subject to review and approval by the Commission on Higher Education.

CONSULTANT REPORT GUIDELINES

The consultant should submit a written evaluation of the program and include a specific recommendation to the Institution. The consultant may recommend:

- Approval.
- Approval upon minor modification by the institution.
- Nonapproval unless major modifications are implemented.
- Nonapproval for stated reasons.

The narrative of the written report must include the following sections and answer the questions posed:

A. Objectives

1. Describe whether or not the objectives and underlying principles of the program are sound and clearly stated.
2. Discuss whether or not the program is consistent with the institution's programmatic mission and educational goals.

B. Need for the Program

1. Analyze the need for this program (e.g., student demand), and indicate why it is likely or unlikely that students will be able to secure employment and/or continue advanced study upon graduation.
2. In the case of career programs:
 - Do the results of market surveys indicate a sufficient level of student demand to justify the creation of the proposed program? [Please explain.]
 - Do employment projections indicate a sufficient number of job opportunities in the region and the State to justify the creation of the program? [Please explain.]

C. Educational Programs

1. Discuss the distribution and nature of required courses, electives, and research (if appropriate) in terms of meeting the objectives of the program. Compare and contrast the proposed curriculum with recognized programs of quality at other institutions, if appropriate.
2. Are the instructional modes and credit distribution consistent with the objectives of the curriculum? [Please explain.]
3. Does the curriculum represent a suitable approach to professional study in the particular field, if appropriate? [Please explain.]
4. Does the curriculum meet certification and/or accreditation standards, if appropriate? [Please explain.]
5. Are the requirements for admission to the program clearly defined and appropriate to ensure a student body capable of meeting the objectives of the program, without such requirements being artificially strict, rigid, or discriminatory? [Please explain.]
6. Discuss whether or not standards for completion of the program are clearly defined and consistent with the objectives of the program.
7. Discuss whether or not an appropriate mechanism for transfer of students to enter the program exists and comment upon the suitability of any articulation arrangements between this and other existing programs.

8. If other academic units within the institution are to provide educational services to the program, describe whether or not their commitment to participate is consistent with offering a program of quality in this field.
9. If a program has a clinical component, discuss the adequacy of facilities and the arrangements to support the objectives of the program.

D. Students

1. Is the percentage of part-time students projected for the program consistent with the goals of the program? [Please explain.]
2. Comment upon the adequacy of provisions made to ensure successful target population (e.g., minorities and women) participation in the program.
3. Comment upon the adequacy of counseling and advisement to be provided to students enrolled in the program.

E. Faculty

1. Describe whether or not the faculty possess the appropriate (terminal) degrees and other academic credentials to provide a program of high quality.
2. Comment on the faculty's involvement in research, teaching, scholarship, creative activity, and community service and whether or not it is appropriate to the discipline and to the proposed program.
3. Discuss whether or not the number of faculty and the amount of time to be devoted by each to the program are compatible with the goal of offering a program of quality.

F. Support Personnel. Discuss the adequacy of support personnel to be associated with the program, e.g., secretaries, administrative assistants, bookkeepers, technicians, as appropriate.

G. Finances

1. Discuss the institution's commitment to provide the resources necessary to guarantee a program of high quality (e.g., faculty, equipment, library support staff for the program, below-the-line support for faculty travel, research).
2. Discuss the possible need for significant additional financial support from the State of New Jersey.

H. Physical Facilities

1. Discuss the adequacy of laboratory, special facilities, and equipment intended to support the program and indicate if they are consistent with offering a program of high quality.
2. Comment upon the adequacy of classroom facilities.
3. Comment upon any evidence to suggest that an existing program at the institution will be adversely affected in terms of resources by the implementation of them program under review.
4. Comment upon the accessibility to program facilities by the handicapped.

I. Library. Discuss the adequacy of library holdings and other library resources available to support the program and indicate if they are consistent with offering a program of high quality.

J. Computer Facilities. Discuss the adequacy of computer facilities and other computer resources available to support the program and indicate if they are consistent with offering a program of quality.

- K. Administration.
 - 1. Comment on the administrative structure of the program and indicate if it is sufficiently defined and reasonable.
 - 2. If interinstitutional or intrainstitutional cooperation is involved, describe whether or not the administrative and budgetary responsibilities for the program are clearly defined and adequate.

- L. Evaluation. In what way has an appropriate mechanism been developed to evaluate the success or failure of the program?

PROGRAM ANNOUNCEMENT COVER PAGE

Date: _____

Institution:	
New Program Title:	
Degree Designation:	
Degree Abbreviation:	
CIP Code and Nomenclature <i>(if possible)</i> : <i>If outside the classification indicate Not Applicable.</i>	
Campus(es) where the program will be offered:	
Date when program will begin (month and year):	
List the institutions with which articulation agreements will be arranged:	

Is licensure required of program graduates to gain employment? Yes No

Will the institution seek accreditation for this program? Yes No

▪ If yes, list the accrediting organization:

Program Announcement Narrative

- Objectives page(s): _____
- Need page(s): _____
- Student enrollments page(s): _____
- Program resources page(s): _____

NEW PROGRAM CHECKLIST

Institution: _____
 Program Title: _____
 Degree: _____

DESCRIPTION	<i>Check to confirm</i>
1. Program Announcement	<input type="checkbox"/>
2. Institutional Responses	<input type="checkbox"/>
* Statement of "no objections"	<input type="checkbox"/>
* Objections	<input type="checkbox"/>
* Objecting institutions:	<input type="checkbox"/>

* Response to objections	<input type="checkbox"/>
* Information about reconciliation efforts:	<input type="checkbox"/>
3. Consultant Report	<input type="checkbox"/>
* Submission date: _____	<input type="checkbox"/>
* On site visit? If yes, date(s): _____	<input type="checkbox"/>
* Consultant vita	<input type="checkbox"/>
4. Response(s) to Consultant's Report	<input type="checkbox"/>
5. Board of Trustees' Resolution	<input type="checkbox"/>
* Date of resolution: _____	<input type="checkbox"/>
6. Letters of support from colleges and universities (OPTIONAL)	<input type="checkbox"/>

Name: _____
 Title: _____
 Phone / Fax: _____
 Email: _____

Signature *Date*

CONVERTING OPTIONS/CONCENTRATIONS WAIVER

Institutions requesting a waiver to the New Degree Program Review Process when converting an existing option or concentration into full program must answer the following questions:

1. Is the program degree level within the mission designation of the college?
2. What is the need/impetus for the requested change?
 - external review?
 - accreditation review?
 - other? (please explain below)
3. How long has the option/concentration been offered?
4. What is the enrollment history?
5. Will the new program have sufficient content depth to justify classification as a major?
 - Will the new program have sufficient credits to justify being a major?
 - How is the new program different from the existing degree program?
6. Will the college continue to offer the existing major?
 - In establishing the new major, what will be the impact on the existing major?
7. Would students currently enrolled in the option/concentration be "grandfathered" as to their degree title?
 - Can students choose either the title of the existing degree program or the title of the degree program created from the option/concentration as their graduation major?
 - Will current students receive the new degree designation?
8. Are sufficient resources available to support the new program in the following areas:
 - Personnel such as faculty and support staff?
 - Facilities?
 - Operating expenses -- equipment, library resources, etc.?
9. Since the proposed option/concentration is part of an approved ongoing program, will the proposed conversion create any additional duplication with ongoing programs at other colleges in New Jersey?

NEW JERSEY ADMINISTRATIVE CODE
TITLE 9A - HIGHER EDUCATION
New Jersey Commission on Higher Education
CHAPTER 1. LICENSURE RULES
(amendments effective 3/3/03)

SUBCHAPTER 1. GENERAL STANDARDS

9A:1-1.1 Authority

N.J.S.A. 18A:68-3 stipulates that no corporation may offer credit-bearing courses in New Jersey until it files with the Commission on Higher Education a certified copy of its incorporation and obtains from the Commission a license to offer such courses or work under the rules prescribed by the Commission.

9A:1-1.2 Definitions

The following words and terms, as used in this chapter, shall have the following meanings unless the context clearly indicates otherwise:

“Academic degree” means any associate degree, baccalaureate degree, master’s degree, or doctoral degree regardless of the specific discipline in which it was awarded.

“Academic disciplines” means the major areas of study identified in the Classification of Instructional Programs (CIP), that is, the first two digits of the CIP code, developed by the National Center for Education Statistics, 1990, incorporated herein by reference. The CIP may be obtained from the National Center for Education Statistics, 555 New Jersey Avenue NW, Washington, DC, 20208-5652.

“Academic department” means a subdivision of an institution of higher education designated as such that is responsible for instruction and/or research in a specific discipline or disciplines.

“Accreditation” means a status attained by an institution through voluntarily meeting standards set by a nongovernmental entity recognized by the U.S. Secretary of Education.

“Adequate, appropriate, equivalent, significant, suitable, and sufficient” mean adequate, appropriate, equivalent, significant, suitable, and sufficient in the judgment of the Commission in consultation with the Presidents’ Council.

“Branch campus” means a physical facility located at a place other than the institution’s principal campus offering one or more complete programs leading to a degree. A branch campus in New Jersey requires approval by the Commission.

“Changing the programmatic mission” means changing the level of academic degrees authorized for the institution.

“College,” “institution,” or “institution of higher education” means a postsecondary educational institution that provides instruction beyond the 12th grade level in programs that satisfy the requirements for a degree at the associate, baccalaureate, or graduate level; with the exception of institutions whose major mission is to prepare individuals for religious vocations, a college offers a range of degree programs. A college has an independent board of trustees. It has a faculty whose duties include some combination of the instruction of students and involvement in scholarship and research. A college has

policies and procedures that encourage the academic officers and the faculty to exercise their full responsibility for the academic direction of the institution. One indication of this type of collegiality is a system of tenure or a system of long-term contracts for the full-time faculty. A junior/ community college or county college is an institution of higher education that offers the associate degree only. A senior college offers degrees up to the baccalaureate level and/or offers graduate and professional degrees. Unless the context clearly indicates otherwise, the term “college” as used in these rules refers to higher education institutions generally.

“Commission” means the New Jersey Commission on Higher Education, which is the State-level planning and coordinating agency for higher education in New Jersey.

“Credit-bearing course” is an instructional activity upon a student’s successful completion of which an institution of higher education awards recognition applicable to meeting the requirements for a degree or other formal academic award.

“Degree completion program” means the final portion of a baccalaureate degree program consisting of at least 120 semester credit hours offered by a baccalaureate degree-granting institution. A degree completion program is offered at a physical facility located at a place other than the baccalaureate degree-granting institution’s principal campus. In a degree completion program, the baccalaureate degree-granting institution shall offer course work totaling 26 percent or more of the credits required for the baccalaureate degree.

“Distance learning” means a formal educational process in which all or the majority of the instruction occurs when the learner and the instructor are not physically located in the same place at the same time.

“Educational program” means a group of related courses, organized for the purpose of attaining specified educational objectives.

“Exceeding the programmatic mission” means offering an academic degree beyond the authorized level for the institution.

“Executive Director” means the Executive Director of the New Jersey Commission on Higher Education.

“Full-time faculty member” is one who is appointed as such and who occupies a full-time faculty position with academic rank and whose primary employment is directly related to teaching, research, and/or other aspects of the educational programs of institutions.

“Full-time student” means one who, in a semester, carries at least 12 semester credit hours as an undergraduate or nine semester credit hours as a graduate student or the equivalent in quarter hours, courses, or other methods of measurement used by the institution.

“General education” means instruction that presents forms of expression, fields of knowledge, and methods of inquiry fundamental to intellectual growth and to a mature understanding of the world and the human condition, as distinguished from “specialized education,” which prepares individuals for particular occupations or specific professional responsibilities.

“Letters” means the designated abbreviations used to refer to an academic degree.

“Middle States Association” means the Middle States Association of Colleges and Schools, Commission on Higher Education, which is the regional accrediting body for degree-granting institutions in New Jersey.

“Out-of-State institution” means an institution whose principal campus is located within the United States or its possessions but not within the State of New Jersey and whose accreditation status in New Jersey is based upon that enjoyed by the principal campus located outside the State, as well as an institution located outside of the U.S. or its possessions that is recognized by the appropriate body in the particular country if the institution’s requirements for awarding degrees are generally equivalent to those accepted in the U.S. by an accrediting body recognized by the U.S. Secretary of Education.

“Part-time faculty member” means one whose employment is related to teaching, research, and/or other aspects of the educational programs of the institution but whose assigned responsibilities do not constitute full-time work.

“Physical presence” means that an entity offers credit-bearing courses from or conducts some portion of the learning experience at a location established in New Jersey by the entity, whether established directly or under the auspices of another entity or an institution.

“Presidents’ Council” means the New Jersey Presidents’ Council, a statutory body consisting of presidents of the State’s public and independent institutions of higher education that receive State aid and four other presidents representing the State’s degree-granting religious and proprietary institutions.

“Programmatic mission” means all program offerings consistent with the levels of academic degrees or certificates that the institution has been authorized to grant by the State Board of Higher Education prior to July 1, 1994 or approved thereafter by the Commission.

“Proprietary institution” means a postsecondary institution that is operated for profit.

“School” ordinarily means a major subdivision of a college or university that is organized to carry out instruction and/or research in related academic and/or professional fields.

“Seeking accreditation” means that an institution has achieved candidacy status or the equivalent standing as evidenced by meeting standards set by a nongovernmental entity recognized by the U.S. Secretary of Education.

“Semester credit hour” means 50 minutes of class activity each week for 15 weeks (or the equivalent attained by scheduling more minutes of class activity per week for fewer weeks in the semester) in one semester complemented by at least two hours each week of laboratory or outside assignments (or the equivalent thereof for semesters of different length).

“University” means an institution of higher education that provides undergraduate studies leading to the baccalaureate degree in a broad range of academic disciplines, as well as graduate studies leading to advanced degrees in at least three academic and/or professional fields.

9A:1-1.3 Licensure

(a) An institution seeking to offer credit-bearing courses or degree programs in New Jersey shall first provide evidence of incorporation and petition the Commission for

licensure. No institution shall offer or advertise the availability of its credit-bearing course(s) or program(s) before receiving formal approval of its petition. Licensure shall require the institution to meet all the standards set forth in this chapter.

(b) With respect to both initial and continuing licensure, Commission staff shall provide the institution's petition and the findings of a licensure evaluation to the Presidents' Council for review and recommendation to the Commission.

(c) To ensure that licensed institutions continue to maintain the standards set forth below, the Commission shall periodically evaluate licensed institutions to determine whether or not they should continue to be licensed.

(d) In the case of a New Jersey-licensed institution accredited as a discrete entity (that is, not as a branch campus of an institution in another state) by an institutional accrediting body recognized by the U.S. Secretary of Education, the Commission shall accept reaffirmation of accreditation as sufficient for continued licensure provided that:

1. The appropriately recognized accrediting body's standards are similar to and encompass the State's criteria for licensure in the judgment of the Commission;
2. The institution provides the Executive Director with a copy of its self-study document at the same time it provides it to the accrediting body;
3. If the Executive Director sends a representative to accompany and work with the accreditation team on the site visit, the representative shall participate fully in the accreditation visit, with the sole exception of voting on recommendations related to accreditation status; and
4. The institution submits to the Executive Director a copy of the letter from the recognized accrediting body informing the institution of its accreditation status.

(e) With respect to an unaccredited New Jersey institution, that is, one that is not accredited as a discrete entity by an institutional accrediting body recognized by the U.S. Secretary of Education, the Commission shall grant licensure for a specified period not to exceed three years in the first instance or more than five years in subsequent instances. Under such conditions, the institution, if it wished to continue to offer credit-bearing courses in New Jersey, would be required to petition the Commission for relicensure at least six to eight months before the expiration of the current license.

(f) Regarding proprietary institutions (see N.J.A.C. 9A:1-4), when a change in ownership occurs, the Commission shall reassess the institution's licensure status between six months and one year after the change.

(g) Out-of-State institutions (see N.J.A.C. 9A:1-5.1(g)) also are licensed for specified periods of time.

(h) The Commission may direct the Executive Director to reevaluate the licensure status of any institution, regardless of its accreditation status.

(i) Before the Commission revokes or suspends an institution's license, the institution shall have the opportunity for a contested case hearing pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq. and 52:14F-1 et seq., and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1. The institution shall submit its request for a hearing to the Commission within 15 days of receiving notice of the Commission's proposed action to revoke or suspend the license.

9A:1-1.4 Application of standards

The standards in N.J.A.C. 9A:1-1.5 through 1.12 apply to all institutions seeking to be licensed or relicensed by the Commission.

9A:1-1.5 Mission statement and long-range plan

(a) A mission statement defines the scope, purpose, and basic tenets of an institution. It defines an institution's niche in New Jersey higher education and articulates goals that the institution continually strives to fulfill. A long-range plan complements an institution's mission by defining the path to mission attainment over an extended period of time.

(b) As a condition of licensure, an institution shall develop and promulgate a mission statement and publish it in the institution's official catalog, a copy of which shall be filed with the Commission.

(c) An institution seeking a license also shall develop a long-range plan to attain its goals. Appropriate resources (physical, human, and financial) should undergird the elements of the plan. The plan shall be made available to the Commission upon the Commission's request.

9A:1-1.6 Organization and administration

(a) Effective organization and administration are essential if an institution is to serve its students and other constituencies. The institution shall be organized to provide sufficient administrative, program, and resource support to attain its mission. The roles and responsibilities of administrators, faculty, and staff should be appropriate to its mission and described in writing.

(b) From an organizational perspective, effective use of an institution's human, physical, and financial resources requires a critical mass of students in order to demonstrate a need for the institution and to provide the learning environment described in its mission statement.

(c) The most critical organizational element is an institution's governing board. Consistent with the institution's mission, the board oversees all legal aspects of its operations, sets institutional policy, plans for the institution, monitors progress toward fulfilling the mission, and ensures continuous institutional assessment and planning. In addition, the board should develop and maintain policies (by-laws) that specify its own duties, responsibilities, and procedures, as well as its membership, manner of appointment, and terms of office. The board is responsible for selecting the institution's chief executive officer, who leads its administration.

(d) Reporting to the governing board, the chief executive officer is responsible for the following:

1. Administering the governing board's policies;
2. Providing general educational leadership and promote educational effectiveness;
3. Maintaining appropriate administrative records;
4. Establishing academic/administrative regulations and procedures dealing with:

- i. Organizational structure;
- ii. Personnel appointments, reappointments, tenure, and promotions;
- iii. Salary schedules;
- iv. Budgets;
- v. Planning, development, and management of facilities;
- vi. Educational programs, academic policies, and research;
- vii. Granting of degrees; and
- viii. Community service;

5. Preparing and submitting such reports as the governing board, the Presidents' Council, or the Commission may request; and

6. Providing official publications, such as student and faculty handbooks, a catalog, and other related documents or publications, to interested persons at intervals sufficient to ensure currency of information.

(e) Each institutional constituency directly concerned with the educational process (that is, at least the administration, faculty, staff, and students) should have a voice in institutional governance with respect to those issues with which it is appropriately concerned. Such participation should be defined in writing.

(f) Statements of institutional principles, policies, and procedures governing topics such as academic integrity and academic freedom should be developed and disseminated widely among the institutional community. These statements should be reviewed periodically, and proper measures should be established to see that they are enforced.

9A:1-1.7 Finances

(a) Without appropriate financial resources, planning, accounting practices, and budgeting, an institution's viability and its capacity to attain its mission are very much in doubt. An institution shall continuously ascertain its financial requirements, determine its sources of revenue, plan for current and future needs, and budget its resources accordingly.

(b) To qualify for and retain a license, an institution shall demonstrate that it:

1. Possesses financial resources sufficient to realize its mission over an extended period of time;

2. Has a long-range financial plan that includes a program for securing gifts, grants, and other appropriate income;

3. Plans its expenditures by budgeting available resources for specific institutional purposes; and

4. Maintains adequate financial records that are audited annually by an independent certified public accountant in accordance with generally accepted auditing standards promulgated by the American Institute of Certified Public Accountants for colleges and universities.

(c) Each licensed institution shall furnish annually to the Commission a copy of its audited financial statement on or before December 31 of each year.

(d) Each licensed institution also shall carry insurance or provide for self-insurance to maintain the solvency of the institution in case of loss by fire or other causes, to protect the institution in instances of personal and public liability, and to ensure the continuity of the institution.

9A:1-1.8 Faculty

(a) While the governing board is the source of institutional policy, the faculty is the source of the institution's curricular development, delivery, and renewal. Instruction is a principal responsibility of faculty, and faculty should constantly strive to develop themselves professionally and should be encouraged to do so. Beyond this essential academic responsibility, faculty are key to an institution's professional, research, and/or service programs. A core of full-time faculty ensures coherence and drives progress towards attainment of the academic mission.

(b) Each institution should periodically evaluate faculty performance. The institution shall document and maintain appropriate records attesting to faculty qualifications, performance, and achievements. It should define clearly and disseminate the criteria and the process for promotion.

(c) Newly appointed faculty teaching at the associate degree level should possess as a minimum qualification an earned master's degree in the field in which they are teaching, if such a qualification exists (recognizing that some technical/occupational specialties offer no such degree). Faculty should have available to them and be encouraged to engage in professional development programs throughout their careers. The majority of all faculty at an institution offering an associate degree shall have at least a master's degree in the field in which they are teaching.

(d) Full-time faculty appointed to any rank above instructor at baccalaureate degree-granting institutions shall have earned the doctorate or an equivalent qualification in the field in which they are appointed. A significant number of all faculty should have the doctorate or another appropriate terminal degree.

(e) Faculty teaching in graduate programs shall hold appropriate terminal degrees. They shall be productive contributors to the field of their specialties. The academic schedule should permit adequate time for instruction, advisement, direction of research, and supervision of theses, as well as continued professional growth and scholarly activity.

(f) Part-time and adjunct faculty shall possess the same qualifications as full-time faculty or compensating preparation, as the institution determines.

(g) Regardless of the specific nature of an academic appointment, be it initial, multi-year, or permanent, the principle of academic freedom shall apply to all faculty, for it is only through academic freedom that ideas and data can be explored without prejudice. An institution shall promulgate a statement concerning the academic freedom of faculty members that should include a statement supporting the following principles:

1. Freedom in research and publication where these activities do not interfere with adequate performance of academic duties;
2. Freedom in the classroom to discuss controversial issues pertinent to the discipline; and
3. Retention of all rights as a citizen to free speech and publication. Such rights

are not, as such, subject to institutional censorship or discipline.

9A:1-1.9 Library

(a) At its most elementary level, the collegiate teaching and learning process cannot proceed effectively without the essential services, collections, computerized network access, and other resources that are provided and administered by an institution's library. For this reason, much emphasis is placed upon the adequacy of the library, its collections, and its staffing.

(b) Qualified professionals and support personnel in numbers sufficient to serve the needs of students and faculty shall staff the institution's library. There shall be an annual acquisition of books, journals, and other library materials, including software; appropriate systems for computerized access to other libraries' collections and to materials such as data bases; and evidence of effective use of library resources by students and faculty.

(c) An associate degree-granting institution with a library of fewer than 20,000 titles or a baccalaureate degree-granting institution with a library of fewer than 50,000 titles shall justify the adequacy of the size of its holdings.

9A:1-1.10 Students and student services

(a) For any degree-granting institution in New Jersey, policies and services related to students are of paramount importance. Such policies and services normally encompass a number of critical institutional areas, including admissions, counseling, financial aid, registration, placement, remedial services, and student-life programs.

(b) The institution shall have a clearly defined admissions policy appropriate to its mission and shall admit students whose educational interests and abilities qualify them to pursue a program offered by the institution.

(c) The institution shall provide adequate student support, financial aid services, and facilities to help students succeed and shall maintain accurate records of each student's academic progress.

(d) The institution shall maintain transcripts for all students and shall provide to all students who request them transcripts showing dates of attendance and academic performance. A licensed institution that ceases operations shall make adequate provision through the Commission for permanent deposit of and access to student transcripts.

9A:1-1.11 Physical facilities

(a) Physical facilities shall be adequate for an institution to fulfill its mission. The institution's facilities provide the context in which teaching and learning take place; it is, therefore, critical that this setting be maximally conducive to fostering productive scholarship. Such facilities generally include, but are not limited to, instructional buildings, laboratories, residence halls, student activity centers, recreational/athletic centers, administrative offices, library/learning resource centers, computing centers, and support service centers.

(b) The institution shall ensure that the physical facilities are safely maintained and are sufficient in quality, size, and number to accommodate students, faculty, and staff; it shall provide adequately equipped laboratories as required for effective instruction and learning.

9A:1-1.12 Official publications

(a) As one medium through which an institution conveys its sense of mission, character, goals, and objectives, official publications reflect the institution's integrity, commitment, and reputation. Consequently, all information released by the institution shall be true and accurate.

(b) In particular, the institution's official catalog sets forth the responsibilities of both the student and the institution. As the nature of these responsibilities is subject to frequent change, official catalogs shall be printed at intervals sufficient to ensure currency of information and in quantities sufficient to supply interested persons.

(c) Official catalogs shall include at least the following information:

1. A statement of institutional mission;
2. Statements of institutional and programmatic accreditation;
3. Lists of faculty and administrative officers, including their earned degrees;
4. Complete curricular information, including course descriptions and the grading system;
5. Requirements for admission, transfer, and graduation;
6. Policies for awarding degree credit and policies on academic progress, academic standing, and withdrawal;
7. Descriptions of facilities and of available student support services;
8. Student costs, as well as refund and financial aid policies;
9. An academic calendar;
10. A list of members of the governing board; and
11. A description of rules and regulations regarding students if not described in other publications available to students.

(d) Each institution shall file annually with the Commission two copies of its official catalogue(s).

SUBCHAPTER 2. DEGREE STANDARDS AND PROGRAMMATIC MISSION**9A:1-2.1 General program standards**

(a) An institution's educational programs are the most tangible manifestation of its mission. In essence, the overall curriculum shall reflect and support the mission of the institution.

(b) The regular academic year, regardless of organization, should fall within a 10-month period and should include at least 30 weeks, or the equivalent in duration, of regularly scheduled student-faculty instructional activity, including final examination periods but excluding holiday and summer sessions.

(c) A semester credit hour shall not be counted on an hour-for-hour basis for library, independent-study, laboratory, or physical education activities. No more than one semester credit hour shall be granted for an experience compressed into one week's time

or less unless prior approval is obtained from the Presidents' Council. A semester credit hour is not required to be counted on an hour-for-hour basis for distance learning.

(d) Credit courses offered by a college in conjunction with or under contract with a noncollegiate organization shall meet the same requirements the college applies to its own courses with respect to quality, course content, class attendance and participation, student evaluation, etc. The standards presented at N.J.A.C. 9A:1-6.3, dealing with off-campus sites at which credit courses are offered by a college in conjunction with or under contract with a noncollegiate organization, shall apply to such courses offered at the principal campus.

9A:1-2.2 Undergraduate education

At the undergraduate level, educational programs should impart critical thinking and analytical skills and expose students to both general education and more technical concepts.

9A:1-2.3 Associate degree programs

(a) Each educational program leading to an associate degree shall consist of college courses totaling at least 60 but not more than 66 semester credit hours or the equivalent in quarter hours, courses, or other measurement used by the institution. The 66-credit-hour maximum may be exceeded when required for licensure or accreditation by a recognized agency or for student transfer to full junior status.

(b) The associate in arts (A.A.) degree nomenclature is appropriate for programs in the liberal arts, humanities, or fine and performing arts; such programs are transfer-oriented. For A.A. degrees, general education courses should total no fewer than 45 semester credit hours or the equivalent.

(c) The associate in science (A.S.) degree nomenclature is appropriate for programs in mathematics, the sciences, business, or in allied health fields if the program is intended as prebaccalaureate work; such programs are transfer-oriented. General education courses for the A.S. degree should total no fewer than 30 semester credit hours or the equivalent.

(d) The associate in applied science (A.A.S.) degree nomenclature is appropriate for programs that emphasize career preparation in the applied arts and sciences, typically at the technical or semiprofessional level. Such programs are designed to prepare students for job entry at completion of the program, notwithstanding any articulation agreements with four-year programs that may be in effect for a particular A.A.S. program. General education courses shall total no fewer than 20 semester credit hours or the equivalent.

(e) Specialized associate degree programs, such as Associate in Fine Arts (A.F.A) and A.S. in Nursing, shall normally require no fewer than 20 semester credit hours or the equivalent in general education courses.

9A:1-2.4 Baccalaureate degree programs

(a) Each educational program leading to a baccalaureate degree shall consist of college courses totaling at least 120 semester credit hours or the equivalent in quarter hours, courses, or other measurement used by the institution.

(b) Approximately half of the required minimum of 120 credits shall be in general education, and the other half shall be in the major and/or in courses necessary to fulfill

requirements for the degree.

(c) In specialized programs, such as Bachelor of Fine Arts (B.F.A.) and Bachelor of Music (B.Mus.), and in programs in the regulated professions, major courses may exceed half of the total required for the degree.

9A:1-2.5 Graduate education

(a) The scope of an institution's graduate curriculum shall closely reflect and support its mission. Graduate education presupposes advanced study beyond the undergraduate curriculum in terms of rigor, expectations of scholarship, curricular depth, and exercise of independent thought.

(b) To fulfill such expectations, an institution's governing board shall demonstrate a continuing commitment of institutional funds for its graduate programs, particularly for the associated faculty and student research activity. Support for graduate programs should be derived from the general applicable resources of the institution, as well as from tuition and fees paid by students in the programs.

(c) Beyond the needs of the undergraduate college, a graduate school shall have, for each program, a variety and depth of specialized materials available on the campus. For example, the library that supports a graduate program shall provide an adequate and current base for research activities. The library should provide books and other materials, both in the fields of instruction and research and in related areas, to serve as background material and to support special investigation in much greater depth.

(d) Existing graduate programs shall be reviewed periodically by the institutions themselves and, insofar as possible, cooperatively with regional and professional accrediting agencies.

(e) The objectives of every graduate or graduate professional program shall be clearly defined and stated. The work in such programs shall be beyond the baccalaureate level in intellectual demand, and a substantial part of it shall be in courses designed explicitly for graduate students, although exceptionally well-qualified undergraduates occasionally may be admitted.

9A:1-2.6 Master's degree programs

(a) A master's degree requires at least 30 credits of graduate study or its equivalent.

(b) Master's degree programs should be distinguishable by their primary objectives as belonging to one of two general types: disciplinary or professional. The degree awarded to students completing disciplinary programs should be master of arts or master of science, with the discipline named (for example, master of arts in English literature, master of science in engineering). In professional programs, the degree should be appropriately specific (for example, master of library science, master of business administration, master of education, master of social work). The determining criterion is the objective that the program is designed to serve. The two types are further distinguished as follows:

1. Disciplinary type: A disciplinary master's degree entails advanced study and exploration in a particular academic discipline (for example, history, physics, engineering science, or musicology). The primary objective is increased knowledge of the subject, rather than its application to professional use. The majority of the degree credit awarded

in programs of this type shall be at the advanced level in the principal field. Credit toward this type of master's degree shall not be given for introductory or elementary courses in the field.

2. Professional type: A master's degree program of the professional type consists of advanced study to extend and apply previous study to practice in such fields as engineering, law, applied music, pastoral ministry, or teaching; some such subjects may lend themselves also to disciplinary programs. Professional master's programs should be complete in themselves, although they may in some circumstances also be adaptable to preparation for a research or professional doctorate. A limited amount of introductory work in the field may have an appropriate place, especially in first-level professional programs.

9A:1-2.7 Specialist programs

(a) Institutions may organize programs of graduate work beyond the master's level that lead not to doctorates but to specialist degrees (such as the Ed.S.) or to comparable certificates. Such programs shall be composed of more advanced coursework than is required for the master's, shall perform definable functions, and shall not be merely continuations of courses beyond the master's. They shall possess a definite philosophy, purpose, design, and sequence and be self-contained and terminal in nature. A comprehensive examination should be required.

(b) Students admitted to specialist programs in education shall have master's degrees in the same field as that of the certificate. Students with master's degrees in unrelated fields shall complete preliminary coursework or demonstrate equivalent knowledge acquired through work experience.

9A:1-2.8 Doctoral degree programs

(a) Programs leading to doctoral degrees shall represent three or more years of full-time study and research beyond the baccalaureate or the equivalent thereof in part-time work.

(b) They should be so designed that elements such as course requirements, foreign language requirements, qualifying examinations, research requirements, and the dissertation are coherently related to a clearly defined set of educational goals.

(c) Programs leading to a doctor of philosophy degree shall be oriented toward original research.

(d) Professional doctorates usually are oriented toward increased professional competence. The requirements for a professional degree should include either a research thesis or a project involving the solution of a substantial problem of professional interest.

(e) Because a doctoral program benefits from complementary programs in other fields, no institution should seek to establish doctoral studies piecemeal or to initiate its first doctoral program unless it offers or has formulated long-range plans for mounting cognate doctoral programs in related fields.

(f) For each doctoral program, an institution shall demonstrate that:

1. The program has clear educational objectives and its requirements are appropriate for the nature of the doctorate;

2. It is supported by related studies and research in ancillary fields;
3. Its faculty is recognized beyond the bounds of the institution as possessing professional qualifications and research achievements sufficient to support the program;
4. The institution possesses adequate library holdings, laboratory space, research facilities, and other necessary resources;
5. It has committed the faculty time necessary for thesis supervision and research guidance; and
6. It has formulated acceptable long-range plans for developing cognate doctoral programs in other fields if such programs do not already exist at the institution.

9A:1-2.9 Exceeding or changing programmatic mission

(a) Institutions wishing to exceed their programmatic mission must receive approval from the Commission to offer each program that exceeds the level of academic degrees that the institution is authorized to grant. Requests to exceed an institution's programmatic mission shall be evaluated based on the following criteria:

1. The objectives of the proposed program(s);
2. The relationship of the proposed program(s) to the current institutional mission and the Statewide plan for higher education;
3. Demonstration of need for the program(s), including present and projected student demand and demand for graduates;
4. The effect of the proposed program(s) on existing programs at other institutions;
5. The dedication of sufficient resources to implement and maintain the program(s) without eroding the quality of ongoing programs;
6. Appropriately qualified students, faculty, and administrators;
7. The quality of library holdings, facilities, and equipment; and
8. Evidence of strength compared with similar programs in the region and State.

(b) Institutions wishing to change their programmatic mission shall specify the scope of the proposed change, including long-range plans for mounting new degree programs that exceed the level of academic degrees currently authorized for the institution. Requests to change an institution's programmatic mission shall be evaluated based on the following criteria:

1. The objectives of the proposed mission change;
2. The relationship of the proposed mission change to the current institutional mission and the Statewide plan for higher education;
3. Demonstration of need for the mission change, including present and projected student demand and demand for graduates;
4. The effect of the proposed mission change on existing programs at other institutions;
5. The dedication of sufficient resources to implement and maintain the

proposed mission change without eroding the quality of ongoing programs;

6. Appropriately qualified students, faculty, and administrators;
7. The quality of library holdings, facilities, and equipment; and
8. Evidence of strength compared with similar institutions in the region and State.

SUBCHAPTER 3. CRITERIA FOR UNIVERSITY STATUS

9A:1-3.1 Programs

(a) In an atmosphere of freedom of inquiry and expression, a university provides undergraduate studies leading to the baccalaureate in a broad range of academic disciplines, as well as graduate studies leading to advanced degrees in at least three academic and/or professional fields. A university also offers an array of graduate studies related to the fields in which it offers advanced degrees. Such offerings provide students elective opportunities and a selection of support studies that may be useful although not prescribed for a particular graduate degree program. A university faculty is actively engaged in research or other scholarly activities. The institution promotes linkages to the wider community through programs of outreach and public service.

(b) Within an environment that emphasizes research, as well as the teaching mission, in curricula and in the allocation of resources for faculty and facilities, a research university offers graduate programs that lead to the Ph.D. degree. Its criteria for promotion and tenure place relatively heavier emphasis on a faculty member's record of research publications in refereed journals and published books. Its faculty generates a relatively higher level of Federal research funding. Its faculty members tend to integrate what they have learned from their own research into the material presented in undergraduate courses, and they routinely expect each graduate student to initiate or participate in a substantial research program. A research university clearly meets or exceeds the qualitative criteria stated in the rule on doctoral degree programs (N.J.A.C. 9A:1-2.8).

(c) Within an environment that emphasizes the teaching mission in curricula and in the allocation of resources for faculty and facilities, a comprehensive university offers graduate programs that lead to the master's degree in a variety of academic disciplines and professional fields; it also may offer a limited number of professional doctoral degrees. A comprehensive university's doctoral offerings clearly meet or exceed the criteria for doctoral degree programs (N.J.A.C. 9A:1-2.8). Its criteria for promotion and tenure place relatively heavier emphasis on a faculty member's record of excellence in teaching. While traditional forms of research are encouraged, the scholarship of its faculty includes more integrative and bibliographic research, often with a focus on pedagogy and practical classroom application.

9A:1-3.2 Organization

(a) A university clearly identifies graduate studies and programs as distinct elements in its organization. Characteristically, it selects graduate and professional students who show evidence of superior achievement in undergraduate studies.

(b) A university recruits faculty for graduate or professional programs whose

competence is known beyond the institution. A significant number of the faculty in each graduate program are associated with the institution full time, have terminal degrees appropriate to their disciplines or records of substantial and superior professional achievements, and remain abreast of their respective fields. The faculty, including representation from the departments offering graduate programs, participates in the initiation, development, and approval of curricula.

(c) A university provides an appropriate and adequate administrative staff whose primary responsibility is the administration of graduate and professional programs.

9A:1-3.3 Resources

A university possesses the financial ability to support graduate and professional programs, and its facilities and equipment reflect the more sophisticated level of work required in both. Laboratories and library support permit specialized study in depth in the fields of graduate study and professional study offered, as well as in supporting fields. An adequate financial base is provided to support the appropriate independent research activity of faculty and students.

9A:1-3.4 Accreditation

The Commission on Higher Education of the Middle States Association of Colleges and Schools accredits universities.

9A:1-3.5 Eligibility for university status and use of “university” as part of an institution’s name

(a) Educational institutions that are incorporated and located in New Jersey; licensed by the Commission; and listed as “research universities,” “doctoral universities,” or “master’s (comprehensive) universities and colleges” in the Carnegie Foundation for the Advancement of Teaching’s *Classification of Institutions of Higher Education* and that believe they meet all of the requirements stipulated in this subchapter are, with the concurrence of their governing boards, eligible to apply to the Commission for university status. Educational institutions dedicated primarily to the education or training of ministers, priests, rabbis or other professional persons in the field of religion are not eligible to apply for university status.

(b) When an institution’s governing body decides to seek university status, it shall file with the Commission a petition-of-intent seeking authority to do so. The petitioning institution shall develop a fully documented proposal and, with the concurrence of the Commission, select two consultants to review the proposal. The two consultants shall be totally independent of all higher education institutions in New Jersey and shall be recognized authorities on graduate education. The consultants shall prepare a written report of their findings, which the college shall submit to the Commission. The Commission shall consider both the report and the proposal in deciding on the college’s application for university status.

(c) The proposal shall demonstrate the institution’s eligibility for designation as a university and shall include a history of having met the criteria defined in this subchapter for a period of at least five years. Alternatively, the petitioning institution may indicate, through a combination of retrospective and prospective data, intent to meet the criteria for a total period of five years. The Commission shall consider such institutions to be in a period of candidacy for university designation. In no case shall formal university

designation be granted until an institution has met the minimum criteria for at least five years.

(d) University status and the initial use of the term “university” in the institution’s title require approval by the Commission.

SUBCHAPTER 4. PROPRIETARY INSTITUTIONS

9A:1-4.1 General provisions

(a) Proprietary institutions of higher education in New Jersey may apply for licensure to award academic degrees, subject to conformance with the rules and standards for such licensure as contained in this chapter.

(b) The rules in this subchapter are designed to recognize the distinctive character of proprietary institutions and for these institutions take precedence over any rules and standards with which they may be in conflict.

9A:1-4.2 Reassessment of licensure status

In the event of a change in the ownership of a proprietary institution, the Commission shall reassess the institution’s licensure status between six months and one year after the change.

9A:1-4.3 Duration of license

(a) Any license to operate and to grant a degree shall be for a specific period, not to exceed five years, as the Commission determines, unless the institution is accredited as a discrete entity by the Middle States Association.

(b) At least six months before the expiration of the license, to continue to offer credit-bearing courses in New Jersey, the institution shall petition the Commission for relicensure, unless the institution is accredited as a discrete entity by the Middle States Association.

9A:1-4.4 Minimum library requirements

(a) A proprietary institution offering a degree shall have a library collection of sufficient size and composition to meet program objectives and to support high-quality instruction and, where appropriate, research.

(b) The library collection shall be kept up to date.

9A:1-4.5 Governing board

(a) The governing board shall have a portion of its membership drawn from the general public and/or the academic community and be of sufficient size to provide for appropriate committee membership.

(b) As is the case in nonprofit institutions of higher education, public members should be appointed for specified terms of office.

9A:1-4.6 Faculty teaching loads

(a) Undergraduate faculty shall normally have teaching loads not to exceed the equivalent of 15 semester credit hours; graduate faculty shall normally have teaching

loads not to exceed the equivalent of nine semester credit hours.

(b) Workload credit shall normally be granted to faculty involved in heavy administrative, advisory, or committee assignments.

(c) The institution shall promulgate a statement concerning the academic freedom of faculty members that should include statements supporting the following principles:

1. Freedom in research and publication where these activities do not interfere with adequate performance of academic duties;

2. Freedom in the classroom to discuss controversial issues pertinent to the discipline; and

3. Retention of all rights as a citizen to free speech and publication. Such rights are not, as such, subject to institutional censorship or discipline.

9A:1-4.7 Basic skills testing and enrollment in remedial courses

Proprietary institutions shall be subject to any policies regarding basic skills testing and remedial instruction as may be adopted by the Commission.

SUBCHAPTER 5. OUT-OF-STATE INSTITUTIONS

9A:1-5.1 Licensure required

(a) Out-of-State institutions wishing to offer credit-bearing courses, degree completion programs, or complete degree programs in New Jersey shall petition the Commission for licensure.

(b) An out-of-State institution's petition to offer a degree completion program shall provide evidence that the degree-granting institution is authorized to offer the full degree program in its home state.

(c) The Commission in its coordinating capacity shall review from a Statewide perspective all such licensure petitions from out-of-State institutions. The Commission shall license only those institutions whose proposed offerings, in the opinion of the Commission, meet State standards of quality (see N.J.A.C. 9A:1-1 and 2), are fiscally viable, serve a demonstrable need, and are in accordance with the Commission's long-range plan for higher education.

(d) Out-of-State institutions that offer degree programs may be licensed for periods of one to five years. Initial licensure shall not exceed three years.

(e) Out-of-State institutions that offer credit-bearing courses, but not a degree program, shall be licensed initially for a period of two years. Relicensure shall be for a period of three years. However, those that meet the following criteria may be relicensed for a period of up to five years.

1. The institutions were licensed by either the former Board of Higher Education or the Commission and have offered credit-bearing courses for at least five consecutive years;

2. The institution during this period provides annually to the Executive Director, six months before desired implementation, an update of the information required pursuant to N.J.A.C. 9A:1-5.2(b); and

3. There is no significant change in the offerings, there are no additional or different resources needed to provide educational services of quality, and there is no change in the status of the institution.

(f) If during the five-year period it appears from a review of the annual materials that there has been a significant change in the offerings, the necessary resources, or the status of the institution, the Executive Director shall submit the matter to the Presidents' Council for review and recommendation to the Commission.

(g) If the Commission, in consultation with the Presidents' Council, disallows the change(s), such action shall serve to revoke licensure for the period of time remaining in the existing five-year period.

(h) At least six months before the expiration of the license, to continue to offer credit-bearing courses in New Jersey, the institution shall petition the Commission for relicensure.

(i) Commission licensure of an out-of-State institution shall not preclude an in-State institution from providing coursework or programs similar to that of the out-of-State institution.

9A:1-5.2 Petitions from institutions

(a) Institutions seeking authorization to offer degree programs shall submit licensure petitions at least one academic year before the requested date of implementation. The deadline for petitions that involve courses, but not a degree program, is six months before the requested date.

(b) The petition shall contain:

1. The accreditation status of the institution;
2. Information equivalent to the annual summary sheet required by the institution's regional accrediting association;
3. The institution's financial statements (prepared by independent auditors) for each of the last three years;
4. Information on the qualifications of prospective faculty for the proposed New Jersey offering(s);
5. A description of the selection and review process for faculty teaching in New Jersey;
6. A catalogue and other data that the institution recognizes as appropriate; and
7. Other information that the Commission specifically requests.

9A:1-5.3 Review processes

(a) The following procedures apply to petitions from out-of-State institutions invited by in-State parties to offer educational services to a specific and delimited constituency in New Jersey and to petitions from out-of-State institutions seeking to offer educational services in New Jersey without invitation.

1. Upon receipt of the petition, Commission staff shall provide to all New Jersey institutions a summary of the petition's content and shall invite the institutions to submit

their comments within 60 days after the notification regarding the out-of-State request.

2. Commission staff shall review the petition and any comments submitted by in-State institutions, usually with the assistance of an external consultant who is mutually acceptable to the institution and the Executive Director.

3. Commission staff shall send the petition and all pertinent materials to the Presidents' Council for review and recommendation to the Commission.

SUBCHAPTER 6. OFF-CAMPUS OFFERINGS

9A:1-6.1 Purpose and general requirements

(a) In some instances it is impossible for an institution to fulfill its mission without offering some portion of its overall curriculum at sites away from its principal location. Such institutional extension often provides important access to higher educational opportunity that otherwise would be denied individuals who for one reason or another find attendance on a main campus impractical. In order to preserve the integrity of its offerings, however, it is critical that an institution ensure a level of quality at its off-campus sites that is comparable to and consistent with the collegiate-level programs and services available at its main campus.

(b) The institution shall consider off-campus offerings part of its total program and shall judge them by the same criteria as the sessions and courses on its main campus.

(c) All institutions shall submit at the request of the Commission reports on all off-campus offerings.

9A:1-6.2 Branch campuses

(a) Branch campuses must have the prior approval of the Commission. In requesting approval for a branch campus, an institution shall submit to the Commission a formal request that shall include a statement justifying the need for the site and a description of the proposed courses/programs.

(b) The request shall include also evidence that the proposed courses/programs at the branch campus are at least equivalent in quality to comparable courses/programs on the main campus and evidence that the institution has provided for effective monitoring and controls to maintain quality.

(c) The request shall provide information on the standards in N.J.A.C. 9A:1-1.5 through 1.12, with special attention to evidence on the following: the classroom, laboratory, computing, and library facilities are adequate; the provisions for administration, support staff, and counseling are sufficient; and the qualifications of faculty, a suitable ratio of whom should be full-time employees of the institution, are appropriate.

(d) Upon receipt of a request for approval of a branch campus, Commission staff shall provide to all New Jersey institutions of higher education a summary of the request and invite them to inform the Commission within 30 days as to how they would be affected by the proposed branch campus.

1. If no concerns are raised about the proposal, Commission staff shall forward the request directly to the Commission for action.

2. If concerns are raised, Commission staff shall send all materials to the Presidents' Council for review and recommendation within 60 days.

(e) An institution proposing to offer at a particular branch campus an approved degree program not previously offered there shall inform the Commission of that offering.

(f) An institution proposing to offer at a branch campus a degree program not previously offered at the main campus shall submit that program for Presidents' Council review, as required for any new program.

(g) An institution closing a branch campus shall inform the Commission before the closure.

9A:1-6.3 Noncollegiate organizations

(a) Off-campus sites at which an institution offers credit courses in conjunction with or under contract with a noncollegiate organization shall first be approved by the institution's governing board or its designee. The institution shall adhere to the following standards:

1. The college may grant credit only at the level and only in those areas for which it has degree programs. For example, a college may not award graduate credit if it does not award graduate degrees, nor may it offer graduate courses in a field (for example, psychology) if such offerings are not acceptable in an authorized graduate degree program at that college;

2. The credentials of instructors used by the contracting agency shall be reviewed and approved by the appropriate faculty of the college;

3. The courses shall be clearly and publicly identified as belonging to the college; that is, both parties shall take appropriate steps to ensure that the public understands that the college assumes responsibility for the courses; and

4. No more than 25 percent of a degree program shall be satisfied through such courses, except in the case of arrangements between colleges and hospital-based programs in the health professions in which the clinical component of the program is provided by the hospital school. All course requirements, with respect to student attendance, amount of class time, amount of outside work, standards for performance, and prerequisites, shall be the same as for courses offered on campus. No more than one semester credit hour shall be granted for an experience compressed into one week's time or less, unless prior approval is obtained from the Presidents' Council.

SUBCHAPTER 7. DISTANCE LEARNING

9A:1-7.1 Standards for New Jersey institutions

(a) An institution's distance learning offerings shall be clearly defined and related to the institution's mission and shall be consistent with the goals and objectives of the institution.

(b) The institution's policies and objectives associated with distance learning offerings shall be consistent with those established for other learning environments.

(c) The institution's catalogue and promotional materials shall indicate the

maximum time permitted for the completion of each course and program offered through distance learning. Any difference between on-campus and distance learning tuition and fee charges shall be clearly indicated.

(d) The institution shall provide students with complete and timely information regarding course and degree requirements, nature of faculty/student interaction, assumptions about technological competence and skills, technical equipment requirements, availability of academic support services, financial aid resources, and costs and payment policies.

(e) Faculty and academic professionals involved in distance learning shall have an understanding of distance education, its special characteristics, and the needs of distance learners.

(f) Each institution shall address issues related to ownership and intellectual property derived from the creation and production of software, telecourses, or other electronically offered programs.

(g) Individuals outside the traditional campus community who act in capacities such as tutors or proctors for students enrolled in distance learning shall be approved by the institution offering the course/program.

9A:1-7.2 Granting degrees for programs provided collaboratively

In the case of collaborative distance learning degree programs, it is the responsibility of the institutions offering the programs to determine which institution(s) will grant the degree.

9A:1-7.3 Counting students enrolled in multiple institutions

Students who are taking coursework at more than one institution shall be counted by each institution based on a full-time equivalent standard unless a consortial agreement exists between/among the institutions regarding which will count the students for enrollment purposes.

9A:1-7.4 Program review and approval for New Jersey institutions

(a) As is currently the practice with traditionally offered programs, if a New Jersey institution wishes to offer a new degree program through distance learning, the program shall be subject to review by the Presidents' Council.

(b) Distance learning degree programs offered at newly established off-campus sites shall be subject to any review or approval that is required for all programs at such off-campus sites; see N.J.A.C. 9A:1-6.

(c) Commission approval for distance learning programs offered by New Jersey institutions shall be required only if programs are referred by the Presidents' Council for consideration due to an institution's changing or exceeding its mission or due to excessive program cost or unnecessary duplication.

9A:1-7.5 Approval for out-of-State institutions

(a) Out-of-State institutions (see N.J.A.C. 9A:1-5) that wish to offer credit-bearing distance learning with a physical presence in New Jersey must first be licensed by the

Commission, with advice from the Presidents' Council, to offer specific courses or degree programs.

(b) If an out-of-State institution is licensed to offer a course(s) or degree program(s) in New Jersey, the Presidents' Council shall review any additional course(s) or programs that it wishes to offer with a physical presence in this State.

SUBCHAPTER 8. FRAUDULENT ACADEMIC DEGREES

9A:1-8.1 Protected degree designations for earned degrees

(a) No person shall use or append to his or her name any academic degree designation, letters, derivatives thereof, or other designations as evidence of having earned an academic degree unless a duly authorized institution of higher education as defined in Section 3 of P.L.1986, c.87 (N.J.S.A. 18A:3-15.3) conferred the degree.

1. In states without a licensing requirement for institutions of higher education, a duly authorized institution of higher education is one that is regionally accredited or accredited by the appropriate accrediting body recognized by the U.S. Secretary of Education or one that is seeking such accreditation.

2. Regarding institutions located outside of the U.S. or its possessions, a duly authorized institution of higher education is one that is recognized by the appropriate body in the particular country provided that the institution's requirements for awarding degrees are generally equivalent to those accepted in the U.S. by an accrediting body recognized by the U.S. Secretary of Education.

9A:1-8.2 Honorary degrees

Any person who has received an honorary degree shall follow the academic degree or the letters used to abbreviate such a degree with the word "Honorary" or "Hon." in parenthesis when representing himself or herself as having received such a degree or credential.