

ADDENDUM TO THE NASD HANDBOOK 2010-11

NATIONAL ASSOCIATION OF SCHOOLS OF DANCE
November 2011

1. The NASD Membership approved the revisions to the Bylaws and Standards for Accreditation set forth below during the Second Plenary Session on Friday, September 16, 2011. Revisions to the Rules of Practice and Procedure were approved by the NASD Board of Directors.
 2. Subsequent to the Annual Meeting, the Board of Directors proposed deletion from the NASD Bylaws of the **Membership with Candidacy Status** category. The NASD Membership approved this change in a vote by email procedure in October 2011.
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BYLAWS

— Approved by the NASD Membership —

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Article I. Membership

Section 2. Membership with Candidacy Status

Delete this category of Membership (see note 2. above). Renumber Sections 3 – 7 to 2 – 6.

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Article I. Membership

Section 4. Special Statuses

Renumber as Section 3., and amend as follows:

Section 3. Special Statuses

- A. Administrative Warning Status.** After due notice from NASD requesting clarification or remediation, member institutions failing to (1) pay dues or meet other financial obligations, (2) provide any response to requests of the Committee on Ethics, or (3) maintain administrative requirements of the NASD Code of Ethics or the NASD Rules of Practice and Procedure may be placed on administrative warning by the Commission on Accreditation. Administrative warning status may extend from one to twelve months, and is removed as soon as the administrative issue is resolved. Failure to resolve the issue may result in probation, or revocation of accreditation, and thus of Membership.

Administrative warning status is not a negative or adverse action and is not published. Institutions with administrative warning status retain accredited institutional Membership and thus do not lose their voting or other rights and responsibilities.

- B. Accreditation Warning Status.** After due notice from NASD requesting clarification or remediation, any accredited member institution failing to (1) apply for reaccreditation, (2) file annual reports, or (3) provide any response to requests of the Commission on Accreditation may be placed on accreditation warning status by the Commission on Accreditation. Accreditation warning status may extend from one to twelve months, and is removed as soon as the accreditation-related issue is resolved. Failure to resolve the issue may result in probation, or revocation of accreditation, and thus of Membership.

Accreditation warning status is not a negative or adverse action and is not published. Institutions with accreditation warning status retain accredited institutional Membership and thus do not lose their voting or other rights and responsibilities.

- C. Probationary Status.** After due notice from NASD, any accredited member (1) failing to respond satisfactorily to issues that resulted in being placed on administrative warning status or accreditation warning status, (2) failing to maintain the required standards, (3) failing to respond satisfactorily to the requests of the Commission on Accreditation, or (4) found to be in violation of one or more aspects of the Code of Ethics or Rules of Practice and Procedure may be placed on probation by the Commission on Accreditation with notice of right to request reconsideration. The probationary period shall extend not fewer than five months or more than five years, the specific period to be determined by the Commission at each time such action is taken. A comprehensive evaluation including a Self-Study Report and visitation may be required for the removal of probation.

Probation is not an adverse action. However, notice of probation is forwarded to the U.S. Secretary of Education, the appropriate state licensing or authorizing agency, and the appropriate accrediting agencies at the same time the institution is notified, and the public within twenty-four (24) hours of notification to the institution. All such notices are provided not later than thirty (30) days after the date of Commission action. See Rules of Practice and Procedure, Article XI. [becoming Article XII.], Section 2.

Institutions on probation do not lose their accredited status, nor their voting or other membership rights and responsibilities.

- D. Suspension of Accreditation Status.** This status can be applied only to independent institutions of higher education for which NASD is the designated institutional accreditor. It cannot be applied to institutions with regional or other nationally recognized institutional accreditation. Automatic suspension of accreditation will occur under the following circumstances:

1. The filing of Chapter 11 or Chapter 7 bankruptcy proceedings by the institution;
2. Change in ownership or major change in control without previous notice as stipulated in NASD policies, standards, and procedures for such institutions;
3. The establishment without prior notice of a branch campus or other entity offering degrees and programs eligible for accreditation by NASD, or significant expansion of affiliative uses of the institution's name without prior notice.

Following automatic suspension, accreditation may be reinstated only upon application to, and approval by the Commission on Accreditation. Because this suspension results without action or prior approval on the part of the Commission, this change in status does not constitute formal withdrawal of accreditation, and thus, is not an action that is subject to review of adverse decision or to appeal.

It is expected that institutions with automatic suspension status will regain their accredited status at the earliest feasible time, or resign from the Association. Failure to move expeditiously, or to establish an appropriate timeline for renewing accredited status, will result in revocation of Membership. Revocation of Membership is not automatic and must be approved by the Commission on Accreditation. Failure to move from suspended accreditation status to regular accreditation status within a period not to exceed the earlier of six months or the expiration of the institution's current accreditation period will cause the Commission on Accreditation to consider revocation of Membership.

When evidence concerning remediation of the reasons for automatic suspension is submitted and judged adequate by the Commission, reinstatement of accreditation is made, along with time and other stipulations for future reviews. If Commission action is not taken by the expiration of the previous grant of accreditation, the institution must then follow procedures for initiating accreditation.

Automatic suspension is an adverse action. Notice of automatic suspension is forwarded to the U.S. Secretary of Education, the appropriate state licensing or authorizing agency, and the appropriate accrediting agencies at the same time the institution is notified, and the public within twenty-four (24) hours of notification to the institution. All such notices are provided no later than thirty (30) days after the date of Commission action. See Rules of Practice and Procedure, Article XI. [becoming Article XII.], Section 2.

Institutions with automatic suspension status are suspended as members of the Association and thus lose their voting rights during the suspension period.

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Article I. Membership

Section 6. Revocation of Membership

Amend as follows:

Section 6. Revocation of Membership. Member institutions failing to maintain the required standards, or failing to respond appropriately to administrative warning status, accreditation warning status, probationary status, or suspension of accreditation status, may have their Membership revoked by vote of the Commission on Accreditation, with notice of right to request reconsideration and right to appeal. Such institutions may apply for reinstatement through the usual Membership procedures of the Association. A request for readmission to Membership will not be considered until two years have elapsed and until any outstanding financial obligations of the applicant institution to the Association have been satisfied.

Final action to revoke Membership is an adverse action. Notice of revocation of Membership is forwarded to the U.S. Secretary of Education, the appropriate state licensing or authorizing agency, and the appropriate accrediting agencies at the same time the institution is notified, and the public within twenty-four (24) hours of notification to the institution. All such notices are provided no later than thirty (30) days after the date of Commission action. See Rules of Practice and Procedure, Article XI. [becoming Article XII.], Section 2.

RULES OF PRACTICE AND PROCEDURE

— Approved by the NASD Board of Directors —

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Article I. Institutional Membership

Section 3. Curricular Requirements

Amend paragraph 1, sentence 1 of Section 3. as follows:

Section 3. Curricular Requirements. The Association will grant Membership or renewal of Membership only when every curricular program of the applicant institution (including graduate work, and distance and correspondence learning, if offered) meets the standards and guidelines of the Association.

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Article III. Institutional Procedures

Section 7. Annual Report

Replace current Section 7. as follows:

Section 7. Annual Reports to NASD

A. Statistical Report

The Higher Education Arts Data Services (HEADS) Data Survey requests statistical information regarding dance program operations and achievements. This report is required annually of all NASD accredited postsecondary institutions.

B. Accreditation Audit

This audit:

1. Verifies the accuracy and currency of information including degree and programs offerings, administrative personnel, and contact information.

2. May indicate the need to file an application for Plan Approval for new curricula or Substantive Change in the period between full accreditation reviews. See Rules of Practice and Procedure, Articles V. and VI. Notification regarding new curricula or substantive change on the annual Accreditation Audit is not a substitute for the required application for Plan Approval or Substantive Change.
3. Is required annually of all accredited NASD member institutions.

C. Affirmation Statement

1. Verifies that all curricular programs under the purview of NASD, thus meeting NASD eligibility requirements for review and/or listing (a) have been approved or (b) have been or will be submitted for review requesting approval.
2. Verifies that all substantive changes eligible for review that are past, current, or projected (a) have been approved or (b) have been or will be submitted for review requesting approval.
3. Verifies that all submissions for review and approval indicated in items C.1. and 2. above will be forwarded to NASD in a manner and on a schedule consistent with the rules and guidelines of NASD.
4. Verifies continuing compliance with NASD accreditation standards or reports changes that would affect or otherwise require a review for compliance with NASD accreditation standards.
5. Is required annually of all accredited NASD member institutions.

Notifications regarding new or current curricula or substantive change on the Affirmation Statement are not substitutes for any required applications for Plan Approval or Substantive Change.

D. Supplemental Annual Report

This report is required annually only from institutions for which NASD may serve as the designated institutional accreditor. Specific information regarding this report is outlined in Standards for Accreditation, item XX., Section 2.A.

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Article IV. Association Procedures

Add new Section 6. as follows:

Section 6. Orientation and Training of Personnel. Prior to or at the beginning of service, and as appropriate as service continues, the Association orients or trains members of the Board of Directors, Commission on Accreditation, Committee on Ethics, and National Office staff in a manner consistent with the nature and scope of their respective duties and responsibilities. For individuals involved in accreditation reviews, orientation and training includes the Association's responsibilities regarding distance and correspondence education. Orientation and training is conducted through written materials and through various interactive means. The requirements of this section also apply to the members of any Appeals Committee established for a specific review as provided for in Article VII. (becoming Article VIII.) below.

Add new Section 7. as follows:

Section 7. Third-Party Comment. Consistent with national accreditation practice and U.S. Department of Education regulations, a notice indicating opportunity for third-party comment is published on the NASD Web site for a specific period during the application process for NASD Membership or renewal of Membership. To be considered as part of an NASD accreditation review, third-party comment must be in written form and signed, meet all NASD written eligibility criteria and all other requirements for third-party comment, and be subject to review and written response by the institution being reviewed prior to initial action regarding the Membership or renewal of Membership by the Commission on Accreditation. Consistent with the principles and requirements of Article XIII. [becoming Article XIV.] of the Rules of Practice and Procedure, NASD will not make publicly available any information provided in third-party comment or an institution's response to third-party comment or any correspondence related to third-party comment.

Governing statements and requirements regarding rules and processes for third-party comment are approved by the Board of Directors and are located in Association publications outlining various procedures for NASD accreditation reviews.

The third-party comment process and the Association's complaint procedure outlined in Article VII. (becoming Article VIII.) below are not the same, and neither one is a substitute for the other.

Add new Section 8. as follows:

Section 8. Information Reviews and Requests. Information provided by institutions in annual statistical reports, Accreditation Audits, Affirmation Statements, and in Supplemental Annual Reports, applications for Commission review in various categories, and in other categories is subject to regular review by the National Office staff, and as applicable under NASD procedures and rules, the Commission on Accreditation. The staff and/or the Commission may seek additional information and documentation to (a) clarify conditions at or the status of an institution with regard to one or more issues, (b) request documentation regarding improvement or remediation, (c) produce the basis for a determination by the Commission regarding the institution's current or continuing compliance with applicable NASD standards or rules, or (d) fulfill any other purpose associated with maintaining the requirements for accredited institutional Membership.

With regard to all such reviews and requests, accreditation status is determined and maintained only by action of the Commission on Accreditation. However, under a restricted number of specified conditions, accreditation status may be suspended automatically for independent institutions of higher education for which NASD is the designated institutional accreditor. See Bylaws, Article I., Section 3.D.

Current Section 6. becomes Section 9.

Add new Section 10. as follows:

Section 10. Policies and Rules Concerning USDE Title IV

- A. Under regulations of the United States Department of Education (USDE) applicable to institutions participating in Title IV of the Higher Education Act (HEA) and therefore to the programs of those institutions, NASD must notify the U.S. Secretary of Education (the Secretary) of the name of any institution or program it accredits that NASD has reason to believe is failing to meet its Title IV HEA program responsibilities, or is engaged in fraud or abuse, along with NASD's reasons for concern about the institution or program.
- B. If the Secretary requests, NASD must provide information that may bear upon an accredited institution's compliance with its Title IV HEA program responsibilities, including the eligibility of the institution or its programs to participate in Title IV HEA programs.
- C. Under USDE regulations, NASD, at its sole discretion based on a specific review of the circumstances applicable to each need to contact USDE under provisions of item A. above, has the authority to decide whether the contact will be confidential to the Secretary alone or whether the institution will also be informed of the contact.
- D. Under USDE regulations, if USDE contacts NASD under provisions of item B. above and requests that the contact remain confidential, NASD must honor that request. Otherwise, unless USDE has already informed the institution or indicated that it will do so, NASD will inform the institution of the contact by USDE.

Note: Institutions participating in Title IV programs under the federal Higher Education Act have multiple compliance and reporting requirements directly to USDE, the agency with primary and ultimate administrative responsibility for decisions regarding institutional eligibility and compliance with all statutes and regulations associated with Title IV. Accreditation by an independent but federally recognized agency or association is one of many federally-established eligibility criteria for institutional participation in Title IV. Only one agency serves this role for each institution. Consistent with their scope, specialized accrediting organizations that are federally recognized may have accreditation responsibilities for programs within an institutionally accredited multi-purpose institution. Accreditation focuses on academic and closely associated operational issues that by statute are not within the purview of the federal government. In this and other ways, independent accreditation organizations and USDE are separate with regard to some functions and connected with regard to other functions.

The policies and rules in Section 10. above are intended to establish protocols for the flow of information between federally recognized institutional and specialized accreditors and USDE in cases where practices or conditions at an institution observed by accreditors or USDE produce concerns about Title IV compliance or fraud and abuse. The text of these rules in their virtually identical USDE and NASD versions do not indicate the assumption of USDE's Title IV responsibilities by NASD, or the assumption of NASD's accreditation and any accreditation-linked Title IV responsibilities by USDE, including the review procedures normally associated with fulfilling the respective sets of responsibilities.

Current Section 7. becomes Section 11. Amend first paragraph as follows:

Section 11. Procedures if an Institution Closes. If an NASD accredited institution closes without a teach-out plan or agreement, NASD works with the U.S. Department of Education and the appropriate state agency, to the extent feasible, to assist students in finding reasonable opportunities to complete their education without additional charge.

Current Section 8. becomes Section 12.

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Article V. Substantive Change

Section 2. Definition

Add new item C. as follows:

- C. The acquisition of any other institution or any program or location of another institution.

Reletter next four items D., E., F., G.

Amend current item G. (to become item H.) as follows:

- H. Starting a branch campus or extension program, regardless of how many such campuses or extension programs have been approved previously by NASD.

Add three new items I., J., and K. between current items G. and H. (to become H. and L.) as follows:

- I. Participation in an agreement to teach-out students from an institution or program that is closing. See Rules of Practice and Procedure, [new] Article VII.
- J. The addition of a permanent location at a site at which the institution is conducting a teach-out for students of another institution that has ceased operating before all of the students previously enrolled at the closed institution have completed their programs of study.
- K. If NASD accreditation enables the institution to seek eligibility to participate in Title IV Higher Education Act (HEA) programs, the entering into a contract under which an institution or organization not approved to participate in Title IV HEA programs offers more than 25 percent of one or more of the NASD accredited institution's educational programs.

Previous item H. becomes L., otherwise not amended:

- L. Other major changes that would impact continuing compliance with NASD standards applicable to degrees and programs being offered.

Add new Sections 3., 4., and 5. as follows:

Section 3. Specific or Comprehensive On-Site Evaluations. In most cases, applications for approval regarding substantive changes can be reviewed through written documentation. However, substantive changes proposed or made may result in the necessity of on-site verification regarding the specific change or changes, with or without the need for additional documentation. On-site verification may be stipulated by provisions in published NASD standards and procedures, or required by the Commission.

In certain cases, changes proposed or made may result in a requirement to conduct a comprehensive on-site review with full documentation, under conditions and during a period to be stipulated by the Commission on Accreditation. Criteria for requiring a comprehensive review in the context of substantive change include, but are not limited to:

- A. A fundamental, comprehensive change of purposes resulting in complete replacement, in terms of content, of substantially all of the educational program(s) previously reviewed and approved with a substantially different set of programs. (Changes of this magnitude normally do not include evolutions or consolidations of previously-approved programs, deletions of specific programs when multiple programs are offered, title changes to existing or continuing programs consistent with NASD standards, or the additions of new programs as addressed in Article VI. below); and/or
- B. Indications from documentation that changes could affect the ability of the institution or the dance unit as a whole to fulfill its purposes, maintain fundamental financial viability or operational integrity, or deliver the entire set of curricula offered or proposed to be offered in the catalog; and/or
- C. Documented conditions causing the Commission to act under provisions of the Bylaws, Article IV., Section 3. concerning the maintenance of standards and the observance of published commitments by accredited institutions.

Section 4. Additional Standards and Procedures. Additional standards and procedures regarding substantive change in certain cases for institutions for which NASD is the designated institutional accreditor are found primarily in Standards for Accreditation, item XX., Section 2.

All standards and procedures published by the Association are applicable as appropriate to reviews regarding substantive change.

Section 5. Accreditation Record Date. The date of formal notification of Commission or other official action is the effective accreditation record date of any approval of substantive change.

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Article VI. New Curricula: Plan Approval and Final Approval for Listing

Add new Section 4. as follows:

Section 4. Accreditation Record Date. The date of formal notification of Commission action is the effective accreditation record date for Plan Approval and/or Final Approval for Listing for new curricula.

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Insert new Article between VI. and VII.:

Article VII. Teach-Out Plans and Agreements

This article applies only to institutions for which NASD is the designated institutional accreditor. See Rules of Practice and Procedure, Article V. Substantive Change; Standards for Accreditation, Sections XX. and XXI.

Section 1. Conditions of Applicability

NASD will require any institution it accredits as the designated institutional accreditor to submit a teach-out plan requesting approval following Commission review upon the occurrence of any of the following events:

- A. The U.S. Secretary of Education notifies NASD that the Secretary has initiated an emergency action against an institution, in accordance with section 487(c)(1)(G) of the HEA, or an action to limit, suspend, or terminate an institution participating in any Title IV, HEA program, in accordance with section 487(c)(1)(F) of the HEA, and that a teach-out plan is required.
- B. NASD acts to withdraw, revoke, or suspend the accreditation of the institution.

- C. The institution notifies NASD that it intends to cease operations entirely or close a location that provides one hundred percent of at least one program.
- D. A state licensing or authorizing agency notifies NASD that an institution's license or legal authorization to provide an educational program has been or will be revoked.
- E. The institution stops offering an educational program before all students enrolled in that program complete the program or transfer to another program.

Section 2. NASD Actions

If one or more conditions stipulated in Section 1.A. through E. occurs:

- A. NASD will evaluate the teach-out plan to ensure it provides for the equitable treatment of students under criteria established by NASD, specifies additional charges, if any, and provides for notification to the students of any additional charges.
- B. If NASD approves a teach-out plan that includes a program that is accredited by another recognized accrediting agency, it will notify that accrediting agency of NASD's approval.
- C. NASD may require an institution it accredits to enter into a teach-out agreement as part of its teach-out plan. See Standards for Accreditation, item XX., Section 1.I. and Section 2.D.
- D. NASD will require an institution it accredits that enters into a teach-out agreement, either on its own or at the request of NASD, with another institution to submit that teach-out agreement to NASD for approval. See Rules of Practice and Procedure, Article V. Substantive Change. NASD will review and take positive action on the teach-out agreement only if the agreement is between institutions that are accredited by NASD or another accrediting agency recognized by the U.S. Secretary of Education; is consistent with all applicable NASD standards, the NASD Code of Ethics, and the NASD Rules of Practice and Procedure, as well as applicable federal and state regulations; and provides for the equitable treatment of students in terms outlined in Section 3. immediately below.

Section 3. Review Criteria

- A. The institution responsible for teaching-out students must have the necessary experience, resources, and support services to:
 - 1. Provide an educational program that is of acceptable quality and substantially similar in function, content, structure, and scheduling to that provided by the institution that is ceasing operations either entirely or at one of its locations; and
 - 2. Remain stable, carry out its mission, and meet all obligations to existing students.
- B. The institution responsible for the teach-out must demonstrate that it can provide students access to the program and services without requiring them to move or travel substantial distances and that it will provide students with information about additional charges, if any.

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Article VII. [becoming Article VIII.] Procedures for Reviewing Complaints Directed Against Member Institutions of the National Association of Schools of Dance

Section 2. Eligibility

Add new item C.4. as follows:

- 4. Is filed at a time when an NASD third-party comment procedure regarding the same institution, instituted by all or virtually all of the same parties, and addressing all or substantially all of the same issues, is in any stage of review.

Renumber remaining items.

Amend item C.5. (to become 6.) as follows:

6. Is, at the time of filing the complaint, the subject of administrative or institutional proceedings that have not been completed, or if such proceedings are known to the complainant to be scheduled.

Amend item C.6. (to become 7.) as follows:

7. Is the subject of prosecution or litigation in which the NASD member institution or its employees are in any way engaged. This requirement applies to the specific issue(s) addressed in the complaint, not to prosecution or litigation on other matters.

Amend item C.13. (to become 14.) as follows:

14. Repeats substantially the same allegations by the same party regarding the same institution that has previously been the subject of a completed review by the NASD Committee on Ethics or Commission on Accreditation, or under the third-party comment procedure by the NASD Commission on Accreditation.

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Article IX. [becoming Article X.] Appeals of Adverse Decisions Concerning Accredited Institutional Membership

Amend Sections 9., 10., 11., and 12. as follows:

Section 9. Appeals Committee

- A. The Executive Director, with the approval of the President, Vice President, Secretary, and Treasurer, shall appoint the chair and members of an ad hoc appeals committee comprising three to five persons, depending on the scope, nature, and content of the issues involved. One member shall be a public member who meets NASD qualifications for public members. None of the appeals committee members shall have been members of the Commission that made the original decision. Appeals committee members must be qualified by education and experience at least equivalent to those eligible to serve on an accrediting commission.
- B. Each person invited to participate in the appeals committee shall be asked to consider whether any conflict of interest or a perception thereof arises from service on the committee. Conflict of interest includes, but is not limited to, participating in any way in the process leading to the decision being appealed; coming from the same state as the institution appealing; having any prior or projected alumni, employment, or financial relationship, or having any other prior or projected relationship with the appealing institution or a competitive institution that could influence or be construed as influencing the outcome of the appeal. If conflict of interest is found, that person may not serve on the appeals committee. In addition, appeals committee members are subject to NASD policies concerning conflict of interest.
- C. The appeals committee shall receive from the institution making the appeal written materials detailing its appeal and, from the Chair of the Commission on Accreditation, a written response to the appeal, and will hear in person representatives of the institution and of the Commission who choose to appear.

Section 10. Decision on an Appeal. After following requisite procedures, considering the appeal and responding to it only in terms of one or both of the grounds for appeal in Section 5., and making judgments based solely on NASD published standards and procedures and the documentation provided, the appeals committee's final decision shall be either to (a) deny the appeal and sustain the decision of the Commission or (b) sustain the appeal and remand the decision to the Commission for reconsideration by identifying specific issues the Commission must address, including but not limited to the appeals committee's decision regarding amendments to or a reversal of the original decision. In making its final decision, the Commission must act in a manner consistent with the appeals panel's decisions or instructions.

The final decision of the appeals committee shall be distributed to the dance executive and the chief executive officer of the institution and to the Chair of the Commission whose decision is being appealed.

An institution's continuing disagreement with a final decision of the appeals committee to deny the appeal shall be settled by arbitration in accordance with the Rules of the American Arbitration Association. Arbitration considers only items (a) and (b) of the Grounds for Appeal outlined in Section 5. of this Article.

Section 11. Reconsideration by the Commission. If the appeal is denied, the matter is closed, and thus the Commission has no power to consider new evidence produced since the original decision.

If the appeal is sustained and decision remanded to the Commission, the institution shall make one of two of the following choices within thirty (30) days of the date of the letter to the institution announcing the decision of the appeals committee, and the Commission will act in the timeframe indicated:

- A. The institution informs the Executive Director of NASD that it wishes to add nothing to the record prior to reconsideration by the Commission. The institution is not assessed an additional fee for Commission consideration.

Within ninety (90) calendar days of the date of the response indicating this choice, the Commission will take action and inform the institution following the stipulations of Article X.

An institution's continuing disagreement with a final decision of the Commission to deny the appeal shall be settled by arbitration in accordance with the Rules of the American Arbitration Association. Arbitration considers only items (a) and (b) of the Grounds for Appeal outlined in Section 5. of this Article;

- B. The institution informs the Executive Director of NASD that it asks the Commission to take into account changes made by or occurring in the institution since the original decision. In this case, the Commission in its reconsideration shall utilize written materials submitted by the institution, and may utilize a team visit to the institution and such other procedures as are appropriate in respecting the decisions and addressing issues identified by the appeals committee and in reaching a new decision on the institution's accreditation and thus Membership. The institution may be assessed such fees as are established by the Association for such procedures. The institution is responsible, however, for reimbursing the expenses of any NASD visitors according to NASD procedures.

Within thirty (30) calendar days of the date of the response indicating this choice, the Commission will establish a final date for Commission action not to exceed one year from the date the institution is notified of the date of final Commission action.

If the institution chooses option (b), its notification must be accompanied by a notarized statement signed by the chief executive officer of the institution stating the following:

[Name of institution] understands and agrees that any determination by NASD made with respect to the request for reconsideration, new information submitted by the institution, or any decision or action described in any item of Article X. is not separately appealable, and thus not eligible for further reconsideration or appeal in any form, including arbitration. [Name of institution] also understands that failure to provide any or substantially different information from that previously provided to the Commission will not cancel this agreement or the schedule for final action stipulated by the Commission.

Section 12. Effective Date of Action. Until the final decision of the appeals committee, the decision under appeal shall not be in effect, and the accredited institutional Membership status of the institution shall remain as it was before the decision under appeal was made.

If the appeal is denied, the Commission decision under appeal shall become effective on the date of final adoption by the appeals committee of the recommendation that the appeal be denied and the decision be sustained.

If the appeal is sustained, the decision being appealed is void, and until the Commission takes a new action, the accredited institutional Membership status of the institution shall remain as it was before the decision under appeal was made.

Add new Section 13.:

Section 13. Publication of Decisions. Notices concerning appeals decisions are published by NASD consistent with the provisions of Article XI. [becoming Article XII.], Section 2.

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Article XI. [becoming Article XII.] Publication of NASD Accreditation Actions

Replace current Section 2. with the following:

Section 2.

- A. NASD provides written notice of the following types of decisions to the public, appropriate accrediting agencies, the appropriate state licensing or authorizing agency, and the U.S. Secretary of Education no later than thirty (30) days after it makes the decision:
 - 1. To award initial accreditation to an institution or program.
 - 2. To renew an institution's or program's accreditation.
- B. NASD provides written notice of the following types of decisions to the appropriate accrediting agencies, the appropriate state licensing or authorizing agency, and the U.S. Secretary of Education at the same time it notifies the institution or program of the decision, but no later than thirty (30) days after it makes a final decision:
 - 1. To place an institution or program on probation.
 - 2. To deny, withdraw, suspend, or revoke the accreditation of an institution or program.
- C. NASD provides written notice to the public of the decisions listed in paragraphs B.1. and B.2. of this section within twenty-four (24) hours of its notice to the institution or program.
- D. For any reason listed in paragraph B.2. of this section, NASD makes available to the public, the appropriate state licensing or authorizing agency, and the U.S. Secretary of Education, no later than sixty (60) days after the decision, a brief statement summarizing the reasons for NASD's decision and the official comments that the affected institution or program may wish to make with regard to that decision, or evidence that the affected institution has been offered the opportunity to provide official comment, and did not choose to do so in the time stipulated.
- E. NASD notifies the appropriate accrediting agencies, the appropriate state licensing or authorizing agency, the U.S. Secretary of Education, and upon request, the public, if an accredited institution or program:
 - 1. Decides to withdraw voluntarily from accreditation, within thirty (30) days of receiving notification from the institution or program that it is withdrawing voluntarily from accreditation; or
 - 2. After due notice from the Commission stipulating one or more deadlines, allows its accreditation to lapse, within thirty (30) days of the date on which accreditation lapses.

Amend the first sentence of Section 4. as follows:

Section 4. The Association recommends that the chief administrator of the institution or a designee, in consultation with the dance administrator, make Association evaluation reports available to faculty members and others directly concerned.

Article XIII. [becoming Article XIV.] Disclosure and Confidentiality

Add new Section 4. as follows:

Section 4. NASD will not make publicly available any information provided in third-party comment or an institution's response to third-party comment or any correspondence related to third-party comment. See Rules of Practice and Procedure, Article IV., [new] Section 7.

Add two sentences to the end of current Section 4. (new Section 5.) as follows:

Section 5. If an institution releases information that misrepresents or distorts any action by NASD with respect to any aspect of the accreditation process, or the status of affiliation with NASD, the chief executive officer of the institution and the program director, where applicable, will be notified by the NASD Executive Director and informed that corrective action must be taken. If the misrepresentation or distortion is not promptly corrected, NASD, at its discretion, may release a public statement in such a form and content as it deems necessary to provide the correct information.

The same rule and sequence are applied to individuals and organizations misrepresenting or distorting accreditation actions of NASD.

NASD reserves the right to correct false or misleading information at any time.

Current Section 5. becomes Section 6.

STANDARDS FOR ACCREDITATION

— Approved by the NASD Membership —

Standard I. Basic Criteria for Membership

A. Non-Degree-Granting Institutions

Add new item 8. as follows:

8. The institution's legal authority shall be stated clearly in its published materials as identified by its charter, authority to offer curricular programs, structure of control, profit or non-profit status, and affiliation, if any, with a parent or sibling organization.

Renumber remaining items.

B. Degree-Granting Institutions

Amend item 5. as follows:

5. The institution's legal authority shall be stated clearly in its published materials as identified by its charter, authority to grant degrees, structure of control, profit or non-profit status, and affiliation, if any, with a parent or sibling organization.

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Standard II. Purposes and Operations

I. Published Materials and Web Sites

Add new item c. as follows:

- c. Basic institutional policies for defining a credit hour must be published and readily available.

Reletter remaining items.

Add new item j. as follows (will become item k. after adding new item c. above):

- j. Any statement connecting any specific degree or program offering with career preparation, career entry, or preparation for advanced study must be consistent with what the degree or program specifically prepares graduates to be able to do immediately upon completion, and therefore with all of the following elements or characteristics for that specific program:
 - (1) published purposes and requirements;
 - (2) degree or program level and type;
 - (3) subject matter content, range, and depth;
 - (4) distributions of curricular and other graduation requirements; and
 - (5) scope and levels of observable competency development in graduating students.

Publication of items j.(1) through (4) is required for all programs in Section II., item I.1.b. above.

Reletter remaining items.

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Standard III. Dance Program Components

A. Credit and Time Requirements

2. Awarding Credit

Revise entire item a. as follows:

- a. Credit shall be awarded consistently according to the published credit policies of the institution and in compliance with NASD standards. Institutional policies shall establish the credit hour in terms of time and achievement required. The minimum time requirement shall be consistent with or reasonably approximate the following: (1) a semester hour of credit represents at least three hours of work each week, on average, for a period of fifteen to sixteen weeks, (2) a quarter hour of credit represents at least three hours of work each week for a period of ten or eleven weeks. Credit for other kinds of academic requirements or offerings that are in different formats, use different modes of delivery, or that are structured to take a different amount of time is computed on the same basis in terms of representing at least the equivalent amount of work. Policies concerning achievement shall be consistent with the principle that credit is earned only when curricular, competency, and all other requirements are met and the final examination or equivalent is satisfactorily passed.

NOTE: The above standard does not (i) require that a credit hour definition at any institution for any course or purpose duplicate exactly the definition provided in items a. (1) and (2), or that all programs or courses within a single institution follow the same credit hour policies; (ii) restrict an institution from requiring more student work per credit hour than indicated in items a. (1) and (2); (iii) dictate the ratio of in-class versus out-of-class work; or (iv) prevent an institution from establishing means and methods for equating the direct assessment of student learning to the awarding of one or more credit hours.

Add new item d., as follows:

- d. Institutions or curricular programs using a clock-hour system must ensure that their system and their conversions of clock hours to credit hours are consistent with credit and time requirements as stated in Section III.A. Normally, institutions participating in federal Title IV programs also follow federal regulations regarding clock hour definitions, calculations, equivalencies, and policies.

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Standard III. Dance Program Components

A. Credit and Time Requirements

Add new items 6. and 7.:

6. **Institutional Procedures.** The institution must have procedures to make credit hour assignments for courses, programs, and other requirements consistent with its credit hour policies applicable to those offerings, and the means to ensure accurate and reliable application of its credit hour policies and procedures. Consistent with the Note in Section III.A.2.a., it is recognized that institutions may have different policies or procedures for different types of programs or delivery systems.
7. **Notification Rule.** As a USDE recognized accrediting agency, NASD is required to file a specific report to the U.S. Secretary of Education when an institution is found in systemic noncompliance with the NASD standards and policies regarding credit hours either within a specific program of study or unit or, if applicable, within an institution as a whole. In this instance, *systemic* refers to organization- or unit-wide policies, procedures, or practices, including but not limited to, continuous noncompliance. Normally, specific instances or lapses promptly clarified or remediated are not considered systemic. Opportunities for the institution to remediate problems and document compliance with NASD standards and policies normally precede such notification to the Secretary. Article IV., [new] Section 10. of the NASD Rules of Practice and Procedure and federal regulations as amended from time to time provide one protocol framework for communication and notification between NASD and the Secretary.

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**Standard XX. Specific Operational Standards for All Institutions of Higher Education
for which NASD is the Designated Institutional Accrerator**

Section 1. Standards for Accreditation

Amend Section 1., item I. as follows:

- I. **Teach-Out Agreements.** *Teach-out agreement* means a written agreement between accredited institutions that provides for the equitable treatment of students under certain conditions when an institution [or program] is closing. Conditions of Applicability, NASD Actions, Review Criteria, and other information are found in [new] Article VII. of the Rules of Practice and Procedure.

Strike remainder.

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**Standard XX. Specific Operational Standards for All Institutions of Higher Education
for which NASD is the Designated Institutional Accrerator**

Section 2. Procedural Requirements

Amend the first sentence of item A. as follows:

- A. **Supplemental Annual Report.** In addition to the annual HEADS Data Survey, Accreditation Audit, and Affirmation Statement, the institution must file a Supplemental Annual Report at a time and in a format stipulated by the Association, which contains the following information:

Insert new item B. as follows:

- B. Review of New Curricula and Substantive Change.** If an accredited institution plans to add a new curricular program, or make a substantive change to current curricular programs or operations, in the U.S. or elsewhere, it must file applications for Plan Approval or Substantive Change as applicable following the timelines and procedures established and published by the Association. See Rules of Practice and Procedure, Article V. Substantive Change and Article VI. New Curricula, in addition to procedural requirements regarding changes in this section of Standard XX.

Reletter remaining items under XX., Section 2., as C. through G.

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**Standard XX. Specific Operational Standards for All Institutions of Higher Education
for which NASD is the Designated Institutional Accreditor**

Section 2. Procedural Requirements

Revise current item F.1.b. as follows:

- b. Records of any student complaints received by NASD that are eligible for review according to provisions of the NASD Complaint Procedure.

Replace current item F.4. with the following:

- 4. Third-Party Comment Rule.** See Rules of Practice and Procedure, Article IV., [new] Section 7.

Replace current items F.5.a. and b. with the following:

Notifications concerning actions by the NASD Commission on Accreditation are published consistent with the provisions of the NASD Rules of Practice and Procedure, Article XI. [becoming Article XII.], Section 2.

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