



South Carolina Commission on Higher Education

Academic Affairs, Postsecondary Institution Licensing

1122 Lady Street, Suite 400, Columbia, SC 29201

Telephone (803) 737-2260

Web site: www.che.sc.gov

PROCEDURES FOR DEGREE-GRANTING INSTITUTION APPLICATIONS (INITIAL LICENSURE, AMENDMENT TO ADD PROGRAMS, OR AMENDMENT TO ADD/MOVE SITES)

INCLUDES TEMPLATE FOR LETTER OF INTENT

I. CONTACT THE COMMISSION

- A. Institutions wishing to offer degree programs to residents of South Carolina must first contact Commission staff to discuss the institution's proposed activities in the state and to determine whether licensure is required. The Commission does not have jurisdiction where institutions enroll SC residents into online courses or programs where the institution does not conduct activities defined as operating or soliciting in South Carolina. Please review the Commission's Clarification of Operating or Soliciting Definition document:
<http://www.che.sc.gov/InstitutionsEducators/Licensing/LicensingofNon-PublicPostsecondaryInstitutions.aspx>
- B. Applications requiring approval by the Committee on Academic Affairs and Licensing (CAAL) and subsequently the Commission (CHE) typically include:
1. Initial applications for licensure to establish a branch in SC or to recruit SC residents to an out-of-state institution
 2. An amendment to an existing license to add a new degree program
 3. An amendment to an existing license to add a site in a new market
- C. Staff may review and approve:
1. An amendment to an existing license to add a new degree program similar to programs already licensed or already licensed at another site in the state
 2. An amendment an existing license to move a site
 3. Program revisions
- D. If an institution is amending its license to add a new degree program, contact Commission staff to determine level of review for the proposed program. Typically, a new degree program is a:
1. Program that concludes with the conferral of a degree in any field or major not previously approved by the Commission;
 2. Change in program content or length of more than 25% at any one time, or a 50% change within a three-year period; or
 3. Change to an existing program to an extent that a change in CIP code is required.
- E. An institution wishing to amend its license to add a new degree program must submit a letter of intent, the Application for Amendment to Add Degree Program and a Program Proposal.
- F. An institution wishing to amend its license to add a new site must submit a letter of intent, the Application for Amendment to Add Site/Move Location or Site and a Program Proposal (if

applicable).

- G. If the institution is moving a site, it must contact the Commission immediately to alert staff to the new location and submit the Application for Amendment to Add Site/Move Location or Site as soon as possible prior to or immediately after the move.

II. LETTER OF INTENT

- A. Institutions that plan to seek initial licensure or amendments to add programs or sites requiring approval through the CAAL/CHE must submit a letter of intent summarizing information about the institution and the proposed program(s) or site(s). A letter of intent is valid for two years from its date of submission to the Commission. After two years, the letter must be updated and resubmitted. It is preferred that the letter of intent be submitted to the staff electronically; a template is included below.
- B. The staff posts pending licensing activities on the Commission's web site as public notice. In addition to other activities, the list includes institutions that have submitted a notice of intent to enroll SC residents into distance education but do not have any other physical presence in the State. Those institutions are considered in "good standing" from the time they submit a notice of intent, apply for licensure, and the Commission takes action on the application. However, institutions that wish to operate or solicit in such a way that they create a physical presence must first complete the application and approval process.

III. REVIEW AND RECOMMENDATION

- A. If the institution believes that it can meet the required standards and desires to apply for licensure, the institution should proceed by submitting the letter of intent (if applicable), completing the application, assembling the required documentation, and submitting those documents to the License staff. The director responsible for licensing may require a conference to discuss the standards required of the institution and the procedures for implementing licensure. Where possible, the material should be submitted in electronic format.
- B. The License staff will analyze the application and documentation. The time to review the material is determined by staff workload. If it is determined that a review is appropriate, the License staff and/or team may proceed with a 'paper review' and/or make a visit to the institution's facilities in accordance with Regulation 62-15. The purpose of the review is to confirm the documentation furnished by the institution and to ascertain whether or not the institution meets the licensing standards. The examination may be accomplished by:
 - 1. Commission staff, or
 - 2. A committee of examiners selected by the License staff and approved by the director responsible for licensing. It will include at least one member of the Commission staff, and may include administrators and/or faculty members of the public or private institutions with experience at appropriate levels. The Committee may also include other qualified, appropriate persons.
- C. For applications going before the CAAL/CHE:
 - 1. Within 30 days after the review/visit the examining staff member or committee chairperson will prepare and submit a report to the director responsible for licensing. The report will include a recommendation regarding the institution's application for licensure. All recommendations will be advisory. The recommendation accompanying the examiners' report should be that the Commission:

- a. License the institution for a period of five years unless there is reasonable cause for a licensing period of less than five years, but not less than one year, (or in the case of an amendment to add a program or a site, for a period concurrent with the license period for the primary location) subject to annual staff visits and/or evaluation, as appropriate, and annual reporting as requested by the Commission, or
 - b. License the institution to proceed with specific functions based on the ability of the institution to meet the requirements for licensure within a specified period of time and subject to follow-up review by a subsequent team or the staff of the Commission as appropriate, including documentation of compliance with conditions placed on the license, or
 - c. Not license the institution but recommend that the institution continue its efforts to comply with licensing criteria and reapply later, or
 - d. Not license the institution and recommend that the institution either disband or appropriately modify its operation. If the recommendation is that the institution not be licensed, the institution may choose to withdraw its formal request for licensing.
2. The director will evaluate the recommendation and forward a copy to the institution. The institution will be invited to discuss the report and recommendations and present any further information pertinent to the application. If the institution desires a meeting, the chairman of the examining committee and members of the License staff will normally attend the conference to present the committee's report and to respond to any questions.
 3. The director will submit the recommendation of the examining committee to the Commission's Committee on Academic Affairs and Licensing (CAAL).
 4. CAAL will consider the recommendation. Representatives of the institution must attend in person the Committee meeting to discuss the report and recommendation, present any further information pertinent to the application, and answer questions from the members of the Committee and others attending. The Committee will formulate a recommendation to be presented to the full Commission. Notice, hearings, and other related process matters and subsequent procedures will be conducted in compliance with the Administrative Procedures Act, Chapter 23 of Title 1, *South Carolina Code of Laws*, 1976, as amended. The meetings are public and those present may comment and ask questions.
 5. The CAAL chairman will submit the recommendation of the Committee to the full Commission. Representatives of the institution must also attend the Commission meeting. The Commission will make a decision on the institution's request for licensing. Notice, hearings, and other related process matters and subsequent procedures will be conducted in compliance with the Administrative Procedures Act, Chapter 23 of Title 1, *South Carolina Code of Laws*, 1976, as amended. The meetings are public and those present may comment and ask questions.
 6. If the Commission makes the decision to grant the request, the staff will issue a license for each location specifying the courses or programs the institution is authorized to offer, the specific site where the courses or programs may be offered, and the degrees the institution is authorized to award.

D. For applications reviewed at staff level:

1. If it is determined that the review requires an examination visit, the staff will make a visit to the institution's facilities. The purpose of the visit is to confirm the documentation furnished by the institution and to ascertain whether or not the institution meets the licensing standards.
2. If the application is not substantially in compliance with the requirements, the application will be returned. If the application is then resubmitted by the institution and there are still significant deficiencies, it will be rejected. Then in order to reapply, the institution must submit a new application and pay another application fee.
3. If the application is approved, an amended license will be provided for the remainder of the current license period or for a new license period as determined by Commission staff.

E. Annual reporting and fees are required.

F. Review and approval of applications for initial licensure, new programs, or additional sites may be delayed or suspended if there are pending unresolved complaints, pending litigation that may negatively impact the institution, or investigations with accrediting, state, or federal agencies.

TIMELINE

Inquire of licensing staff about the schedule for meetings and deadlines for the intent and application. The CAAL typically meets three times per year. Submission of the proposal may be delayed to future Committee/Commission meetings if more time is required for review, especially in cases where the institution does not have evidence that it has an acceptable system of program review and evaluation.

Proposals may go forward to the CAAL in its 'next' cycle after the application and review are complete. The staff, Committee, or Commission may require additional review and information-seeking meetings. Receipt of the intent/application by the due date does not guarantee that the item will be included in the next cycle of meetings.

Consult with licensing staff regarding due and meeting dates.

REVIEW EXPENSES

Contact a CHE licensing staff member to discuss an estimate of review expenses. In addition to licensing fees to the Commission, the institution is responsible for travel and honoraria expenses of examination team representatives (if a team review is needed) for initial licensure and subsequent program reviews or renewals. An estimate of travel and honorary expenses must be paid to CHE when the staff determines that a team review will be needed. Teams typically include three members for initial licensure. Institutions are responsible for expenses that exceed prepaid estimates.

Example:

\$3,000 (\$1,000 travel expenses for each team member)

\$4,500 (\$500 per day, minimum three days for each team member)

FEE SCHEDULE

Postsecondary License Fees Effective Fiscal Year 2014-2015		
Initial: One-half of one percent expected gross tuition income	Minimum	\$ 150.00
	Maximum	\$5,500.00
Annual: One-half of one percent last year's gross tuition income	Minimum	\$ 115.00
	Maximum	\$3,750.00
Late filing fees: More than five business days after the due date ten percent of the annual fee for each five business days the report is past due	Minimum for each five-day increment	\$ 50.00
Move an existing location or site		\$ 75.00
Additional program or site: One-half of one percent of the projected additional gross tuition income for the first year.	Minimum	\$ 75.00
	Maximum	\$2,750.00
Program or institution name change		\$ 30.00
Initial and renewal of agent permit		\$ 30.00



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TEMPLATE FOR POSTSECONDARY INSTITUTION LETTER OF INTENT

Submit the materials electronically as attachments in MS Word format. Each letter of intent is valid for two years.

LETTER OF INTENT, INITIAL LICENSE OR AMENDMENT TO ADD PROGRAM(S) (submit one per program)

- A. Name of proposing institution
- B. Title of proposed program and concentrations, options, and tracks
- C. Program CIP codes
- D. Date of submission of letter of intent
- E. Proposed date for submission of application
- F. Proposed date of implementation
- G. Delivery mode (traditional, distance, blended/hybrid)
- H. Delivery site
- I. For programs for which there is a specialized programmatic accrediting agency, submit documentation of accreditation or a plan and timeline to achieve accreditation or rationale for not pursuing accreditation. (Regulation 62-6.A.).
- J. Name, title, email, and telephone for program administrator
- K. Name, title, email, and telephone for institution representative submitting application
- L. Signature of president, chief executive officer, or chief academic officer of the institution

LETTER OF INTENT, AMENDMENT TO ADD SITE(S)

- A. Name of proposing institution
- B. Address of new site
- C. Date of submission of letter of intent
- D. Proposed date for submission of application
- E. Proposed date of implementation
- F. Programs to be offered at new site(s). A Program Proposal must be submitted with the application for programs not currently offered at any other site licensed by the Commission.
- G. Name, title, email, and telephone for institution representative submitting application
- H. Signature of president, chief executive officer, or chief academic officer of the institution