

Government Agencies and the Middle States Commission on Higher Education

Educational institutions, state agencies, federal agencies, and the Middle States Commission on Higher Education have unique, yet complementary roles in promoting and maintaining the quality and integrity of higher education—including an institution’s responsibility for self-regulation, state agency authority for licensure and general oversight of educational institutions, and the Commission’s role in peer-review evaluation on a voluntary basis.

The Commission has a long tradition of cooperative relations with state agencies in the Middle States region. It is sensitive to the concerns and interests of state agencies in the area of higher education, particularly in establishing minimum standards for operating educational institutions. As a prerequisite for accreditation, the Commission requires institutions to procure an appropriate license or charter from a state agency or other appropriate government agency where required by law. Moreover, the Commission acknowledges the rightful role of the state in such matters as protecting against fraud, violations of health and safety regulations, and the oversight of public funds.

In its relationships with state agencies, the Commission acts as a voluntary, non-governmental membership educational organization. It does not, and cannot, assume the statutory responsibilities of any state or other governmental agency.

State Agency Representatives on Middle States Evaluation Teams

The Commission’s primary obligations are to institutions and to the public interest. Working relations with state education agencies in the Middle States region should be continued and strengthened without compromising the Commission’s independence as a non-governmental organization.

State representatives are invited to accompany Middle States evaluation teams. In order to maintain a distinction between government agencies and the Commission, state representatives are considered to be working with, but not to be members of, Middle States evaluation teams. Representatives of state agencies normally receive copies of self-studies from the institutions to be evaluated and may participate in campus interviews and in team deliberations, but it is the prerogative of the team chair to determine the extent to which the representative contributes to discussions. The team chair and the state representative should discuss the scope and nature of the representative’s involvement prior to the actual visit. However, a state representative does not share in the final determination of a team’s recommendation with respect to accreditation.

The Commission expects the state to contact the institutional head regarding the role of the state representative in an evaluation visit and of any special relationship he or she has to the team or to the institution. By prior arrangement with the institution and the Commission office, a state representative may pursue a separate agenda in conjunction with a Middle States evaluation. All

materials relating to the visit, including the self-study or other reports, should be obtained by the state directly from the institution.

The Commission may invite state representatives to its workshops and orientation programs for evaluators and maintain the practice of notifying the related state agencies of upcoming evaluations of institutions within their states. Periodically, Commission staff may meet with representatives of state agencies.

Collaborative Reviews with Governmental Agencies

The Commission's *Handbook for Collaborative Reviews* describes other types of cooperation, such as state agency reliance on Commission accreditation and reviews by different agencies that occur simultaneously, sometimes using the same self-study, team report, and visiting team. It is possible to execute a formal agreement between Commission and a governmental agency for joint or collaborative reviews.

Communication and Information Sharing with State Agencies

Institutions may share evaluation team reports and their responses to the reports with state agencies at the earliest feasible date, but it remains the institution's prerogative, except where explicitly required by law, to determine whether and/or when to share an evaluation team report and related responses with a state agency. The Commission's usual policy is to submit evaluation team reports only to the individual institutions. Once an accreditation action of the Commission is final, however, the Commission notifies the appropriate state agency of any final actions taken by the Commission regarding institutions that are licensed by the state.

The Commission will exert every effort to protect its confidential relationship with accredited and candidate institutions. However, in the interest of providing optimum assistance to educational institutions, sharing of non-confidential information is encouraged between the Commission and respective state agencies, particularly through informal communication between and among staff members.