

Policy IV.05 – Admission Policies and Procedures: Teach-Out Policy and Checklist

Definitions: For purposes of this Policy IV.05:

1. A “Closure” includes any change of location considered by the U.S. Department of Education to be a closure of the existing Institution; and
2. In general, the Commission considers a Teach-Out Agreement to be “practicable” unless the Institution submitting a Teach-Out Plan can demonstrate that there are no Institutions within a 50-mile radius that (i) meet the requirements of Checklist Items 7 and 8 of this Policy and (ii) are willing to enter into a Teach-Out Agreement meeting the requirements of Checklist Items 4 and 5 of this Policy. ⁵

Submission Requirements (General):

- A. With each application for accreditation or renewal of accreditation (as applicable), Accredited and Candidate Institutions must submit to NACCAS a Teach-Out Plan (including a draft Teach-Out Agreement, if practicable) meeting the requirements of this *Policy*.
- B. With each Annual Report submission, all Institutions must submit to NACCAS a Teach-Out Plan (including a draft Teach-Out Agreement, if practicable) meeting the requirements of this Policy.
- C. In the event of a Teach-Out Event other than a planned Closure of an Institution or program, the Teach-Out Plan (including a draft Teach-Out Agreement, if practicable) must be submitted for approval no later than 15 days following the occurrence of a Teach-Out Event.

In the event of an unplanned Closure of an Institution or program, the Teach-Out Plan (including executed copies of associated Teach-Out Agreement(s), if practicable) must be submitted no later than 15 days following the Closure date.

In the event of a planned Closure of an Institution or program, the Teach-Out Plan (including a draft Teach-Out Agreement, if practicable) must be submitted 30 days prior to the Closure date.

In either event, if the Teach-Out Plan incorporates a Teach-Out Agreement, the Institution must provide a list of accredited schools within a 50-mile radius that meet the requirements of Checklist Items 7 and 8 of this *Policy*. ^{6/7}

5 For purposes of submitting a draft Teach-Out Agreement under Submission Requirements A or B above, a Teach-Out Agreement is considered “practicable” unless the Institution submitting a Teach-Out Plan can demonstrate that there are no Institutions within a 50-mile radius that meet the requirements of Checklist Items 7 and 8 of this Policy.

6 While a Closing Institution may choose to give pro rata refunds to all students, doing so is not a substitute for the required submission of a Teach-Out Plan (and Teach-Out Agreement, if practicable).

7 If NACCAS approves a Teach-Out Agreement that includes a program that is accredited by another recognized accrediting agency, NACCAS will notify the other accrediting agency of its approval.

When developing a Teach-Out Plan, the Institution must follow the NACCAS Teach-Out Plan Checklist as follows:

- ___ 1. The Institution's Teach-Out Plan must include a statement (or statements) that the Institution acknowledges that in the event of an actual Closure the Institution:
 - ___ a. May elect to provide all affected students with a pro rata refund. Additionally, if the Institution's Teach-Out Plan includes a Teach-Out Agreement, the statement must further acknowledge that the Institution will provide to NACCAS a Teach-Out Agreement (see "[Teach-Out Agreement](#)") 30 days prior to the Closure date.
 - ___ b. Must satisfy any outstanding financial obligations to Local, State, or Federal providers of financial aid.
 - ___ c. Must notify NACCAS in accordance with [Section 4.12](#) of the *NACCAS Rules of Practice and Procedure*.
 - ___ d. Must provide to NACCAS a list of the students who were enrolled at the time of the Closure. The list must include the arrangements for each student affected.
 - ___ e. Must put all relevant information regarding the Closure on its websites and all social media customarily used by the Institution to communicate with students and/or the public.
 - ___ f. Will comply with applicable State and or Federal laws regarding record maintenance (and will include such statement in any associated Teach-Out Agreement(s)).
 - ___ g. Will provide to NACCAS and to all enrolled students the name and contact information of the custodian of the Institution's files and the address where those files will be kept.
 - ___ h. Will immediately provide all enrolled students with a copy of the NACCAS "[How to Locate an Accredited Institution Within Your Field of Study](#)" document.

The Institution's Teach-Out Plan must incorporate the use of a Teach-Out Agreement, if practicable. If the Plan does include a Teach-Out Agreement, the following items apply:

- ___ 2. The Institution must provide a list of accredited schools (at least 3) within a 50-mile radius of the Institution that would be suitable candidates (per this *Policy IV.05*) to enter into a Teach-Out Agreement.
- ___ 3. The Institution's Teach-Out Plan must include a statement (or statements) that the Institution acknowledges that in the event of an actual Closure of the Institution:
 - ___ a. Must provide to NACCAS a copy of the enrollment agreement for each of the Institutions that will receive students under the Teach-Out Agreement.
 - ___ b. Must provide to NACCAS a copy of the catalog for each of the Institutions that will receive students under the Teach-Out Agreement.
 - ___ c. Must provide to NACCAS a copy of each Teach-Out Institution's license issued by the State's regulatory agency.
 - ___ d. Must provide to NACCAS any additional information that is applicable.
 - ___ e. Must notify students of additional charges, if any. The statement must include an explanation to NACCAS of how it will notify students about additional charges.

- ___ *f.* Must provide students access to the program and services without requiring them to move or travel for substantial distances or durations.
- ___ *g.* Must provide information to NACCAS that will insure that any Teach-Out Institution or Institutions with which the Institution enters into a Teach-Out Agreement have the Administrative Capacity and Capability and support services required by NACCAS.
- ___ *h.* Must provide evidence to NACCAS that the Teach-Out Institutions have the necessary experience, administrative capacity and capability, resources and student support services to provide an educational program that is of acceptable quality (as evidenced by state approval) and reasonably similar in content, delivery modality, and scheduling to that provided by the Closing Institution.
- ___ *i.* Must provide evidence that each Teach-Out Institution has the Administrative Capability and Capacity to carry out its mission and meet all obligations to the existing students.

When developing a Teach-Out Agreement, the Institution must follow the NACCAS Teach-Out Agreement Checklist as follows:

- ___ **4.** The Teach-Out Agreement must include:
 - ___ *a.* A complete list of students currently enrolled in each program at the closing Institution and the program requirements each student has completed.
 - ___ *b.* A plan to provide all potentially eligible students with information about how to obtain a closed school discharge and, if applicable, information on State refund policies.
 - ___ *c.* A record retention plan to be provided to all enrolled students that delineates the final disposition of teach-out records (e.g., student transcripts, billing, financial aid records).
 - ___ *d.* Information on the number and types of credits or clock-hours the Teach-Out Institution is willing to accept prior to the student's enrollment.
 - ___ *e.* A clear statement to students of the tuition and fees of the educational program and the number and types of credits or clock-hours that will be accepted by the Teach-Out Institution. This statement must clearly identify, and provide for the notification to students of, additional charges, if any.
- ___ **5.** The Teach-Out Agreement must provide students access to the program and services without requiring them to move or travel for substantial distances or durations.
- ___ **6.** The Institution must submit to NACCAS, with each Teach-Out Agreement:
 - ___ *a.* A copy of the Teach-Out Institution's enrollment agreement.
 - ___ *b.* A copy of the Teach-Out Institution's catalog.
 - ___ *c.* A copy of the Teach-Out institution's license issued by the state regulatory agency.
 - ___ *d.* Any additional information, if applicable, must be submitted.

___ 7. The Teach-Out Institution(s) must:

- ___ a. Have the necessary experience, administrative capacity and capability, resources and student support services to provide an educational program that is of acceptable quality (as evidenced by state approval) and reasonably similar in content, delivery modality, and scheduling to that provided by the Closing Institution; provided, however, that while an option to provide instruction via an alternate method of delivery may be made available to students, such an option is not sufficient unless an option via the same method of delivery as the original educational program is also provided.
- ___ b. Be stable and have the capacity to carry out its mission, and meet all obligations to existing students.
- ___ c. Demonstrate that it can provide students access to the program and services without requiring them to move or travel for substantial distances or durations.
- ___ d. Demonstrate that it will provide students with information about additional charges, if any.

___ 8. The Teach-Out Institution(s) must not:

- ___ a. Be subject to a Teach-Out Event itself.
- ___ b. Be under investigation for, be subject to an action concerning, or being prosecuted for an issue related to academic quality, misrepresentation, fraud, or other severe matters by a law enforcement agency.

___ 9. If an institution that is party to a Teach-Out Agreement has learned that another party to the Agreement plans to close, NACCAS must be notified, in accordance with [Section 4.12](#) of the *NACCAS Rules of Practice and Procedure* .

___ 10. The closing Institution or program must:

- ___ a. Submit to NACCAS a list of students who were enrolled at the time of closure and indicate the arrangements made for each affected student.
- ___ b. Submit to NACCAS copies of all notifications from the Institution to its students related to the Institution's closure or to teach-out options to ensure the information accurately represents students' ability to transfer credits and clock hours. NACCAS may require corrections to any such notifications.
- ___ c. Comply with applicable state and/or federal laws regarding records maintenance.
- ___ d. Provide NACCAS and all enrolled students with the name and contact information of the custodian of its files and the address where the files will be kept.
- ___ e. Post all information regarding the closure on its website and all social media customarily used by the Institution to communicate with students and/or the public.