

APPROVAL OF OFF-CAMPUS INSTRUCTION POLICY

During the spring 2001, the Arkansas Higher Education Coordinating Board considered a conflict between Black River Technical College and Arkansas State University as to whether or not BRTC should offer freshman and sophomore courses in Paragould. A special committee of the Board, the 30-Mile Rule Committee, was formed to consider the issue since the "30-mile rule" was in dispute. The committee also began work with ADHE staff to consider various options at resolving related issues. The committee heard testimony from interested parties at a special Board meeting on March 12, 2001. On April 19 the committee and other Board members heard a report from the staff on these various options. At its April 20, 2001, meeting, the entire Board approved for both BRTC and ASU to offer freshman and sophomore courses in the city of Paragould.

Since April, staff has worked with the Executive Council and other presidents and chancellors in arriving at a policy upon which agreement has been reached. The policy provides criteria for the resolution of conflicts to be used by ADHE staff and the Board when institutions disagree about which one should offer courses at an off-campus site.

The following resolution was approved by the Coordinating Board on October 19, 2001 (Agenda Item No. 15);

RESOLVED, That the Arkansas Higher Education Coordinating Board approves the policy on off-campus instruction included in this agenda item, effective October 19, 2001.

FURTHER RESOLVED, That the Coordinating Board instructs the Director of the Arkansas Department of Higher Education to notify all presidents and chancellors of this approval.

Off-Campus Instruction Policy Arkansas Higher Education Coordinating Board

Introduction

The Arkansas Higher Education Coordinating Board (AHECB) has encouraged access to higher education through a number of policies over the years including support for distance learning initiatives in the state and across the southern region, as well as approval for off-campus programs at sites throughout Arkansas. The Board and its staff believe it is important to promote both access and quality in higher education because the state's educational attainment level remains below the national average with respect to the number of adult Arkansans with college degrees. Furthermore, the Board recognizes that our economy increasingly rewards those with the education and skills to compete in the modern workforce (as well as rewarding the states and communities where such skilled persons live and work).

With the acknowledged need for educational access comes the recognition that resource constraints on the state and its public institutions of higher education limit the extent to which our campuses can be all things to all people. While competition for students has increased access to higher education services, it also puts undeniable strains on fiscal and other institutional resources. This tension between greater access and limited resources presents itself in a number of current and pending requests for approval of new off-campus activities, particularly those where more than one institution seeks to offer services in the same community.

In light of the need for educational access coupled with resource limitations, the purpose of the adopted policy will be to establish guidelines for the delivery of educational courses and programs to students and organizations through off-campus programs and courses. The guidelines also will include criteria to be used by the AHECB when conflicts arise between institutions regarding off-campus instruction.

The following AHECB priorities will be considered when resolving institutional conflicts:

- Provide educational opportunities to all citizens of the state.
- Provide quality off-campus courses/programs at a reasonable cost to students and the state.
- Allow institutions that are currently offering off-campus courses at specific locations to continue to do so.

- Eliminate unnecessary duplication of off-campus courses, programs, and facilities. (A.C.A. § 6-61-206 and 303)
- Reduce the costs of off-campus programs by reducing duplication of institutional effort, thus preventing overextension of state's resources. (A.C.A. § 6-61-303)
- Promote cooperation among two-year and four-year institutions when responding to community educational needs.

In addition to the AHECB's priorities, there are also general assumptions that should be considered in relation to the agreed upon off-campus instruction policy. These general assumptions are as follows:

- Off-campus offerings that existed in 2000-01 will be allowed to continue regardless of service area designations. Once a particular off-campus course/program that is offered outside of an institution's designated service area is discontinued or the offering is interrupted for at least two years, the adopted off-campus instruction guidelines must be followed.

This policy is intended to assign primary responsibility for offering educational services at off-campus locations for two- and four-year institutions. It is not meant to give exclusive rights to one institution over another.

- A branch campus or education center will not have an assigned service area independent of its main campus.
- Student-semester-credit-hours generated by off-campus students who are charged less than the full tuition rate for on-campus students will not be included in the funding formula.
- Disagreements that cannot be resolved between institutions will be resolved either by the ADHE staff or the Coordinating Board. If an institution fails to abide by the ADHE or Coordinating Board decision, then the SSCH generated at the unauthorized location by the institution that was not approved to offer courses at that site will not be included in the funding formula.
- Electronically-delivered instruction will not be subject to off-campus instruction policies if no physical presence is established by the sending institution and if a contract between a student and the institution involves only those two parties. If, however, the instruction is delivered in either real- or delayed-time at a particular location to a defined group of students using technology, then a physical presence has been established. When a physical presence is established, either electronically or through traditional means, off-campus instruction policies will apply.

- The off-campus instruction policy that is adopted will apply only to credit courses. The policy will not apply to workforce, or any other, courses that are offered on a non-credit basis.

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- All service area designations will continue as they currently exist. Two-year colleges will retain the counties assigned to them in 1992 as areas of primary responsibility.
- Four-year institutions will not have a designated area for off-campus courses/programs.
- Because the “30-Mile Rule” was part of a funding policy adopted for the 1991-93 biennium and was superceded by a new funding policy the following biennium, the “30-Mile Rule” is not a criterion for offering off-campus credit courses.

Criteria for Conflict Resolution

Institutions that seek to offer off-campus instruction and cannot reach agreement between each other, either informally or with a written Memorandum of Understanding, will appeal to ADHE staff. After receiving a written request from each affected institution that includes pertinent information and data, ADHE staff will mediate the conflict. If the affected institutions reject the decision of ADHE staff, the Arkansas Higher Education Coordinating Board will hear evidence, consider staff recommendations, and make a final determination.

In order to determine the merits of presented arguments, the Department staff and Board members will require in writing from each institution the following information:

- Mission of institution
- Willingness of institution
- Capability of institution
- Type of courses/programs proposed
- Cost to students
- Desire of the community
- History of off-campus offerings in the geographical area
- Evidence that this will not result in unnecessary duplication of programs or facilities
- Evidence that the offerings will not result in overextension of state’s resources
- Other relevant information as determined by the institutions, Department staff, and/or ACHEB members

Although the “30-Mile Rule” is not a criterion used to resolve institutional conflicts regarding off-campus offerings, the AHECB does not look favorably on an institution that encroaches on the service area of a second institution.

Approved: Agenda Item No. 15
October 19, 2001

Reaffirmed: Agenda Item No. 19
October 24, 2003