

Minnesota Nonpublic Education Council Guidelines for Recognizing Accrediting Agencies

Part A – General Provisions

Subpart 1. Minnesota Nonpublic Education Council Authority

- I. The Minnesota Nonpublic Education Council recognizes accrediting agencies operating in the state of Minnesota in accordance with Minnesota Statutes, Sections 120A.22-120A.26 (Minn. Stat. § 123B.445).
- II. The Minnesota Nonpublic Education Council publishes a list of state accrediting agencies that meet the criteria for recognition listed in Part B.
- III. If the Minnesota Nonpublic Education Council denies continued recognition to a previously recognized agency, or terminates the agency's recognition before the end of its recognition period, a notice of that action will be published.

Subpart 2. The Following Definitions Apply

- I. K-12 schools are schools that teach students within grade levels kindergarten through twelfth grade. This definition includes, but is not limited to, schools that offer education for the following grade levels: elementary schools (K-6, K-8), middle schools (6-8, 6-9), and high schools (9-12, 10-12). Kindergartens that do not offer further elementary education are not included in the definition of K-12 schools.
- II. Accreditation embraces the term “pre-accreditation” unless noted otherwise.
- III. Recognition embraces the term “continued recognition” unless noted otherwise.

Part B – Criteria for Initial or Continued Recognition

Subpart 1. Basic Eligibility Requirements

- I. An agency seeking initial recognition must demonstrate that it has:
 - a. Granted accreditation:
 - i. to one or more schools in Minnesota that covers the programs for which it seeks recognition; or
 - ii. the accrediting agency must document that the standards, policies and procedures it uses have been requested by a Minnesota nonpublic school that intends to make use of its services; or
 - iii. has been operating as a non-accrediting educational association and now desires recognition as an accrediting agency.
 - b. Conducted accrediting activities, including the decision-making process for granting or denying accreditation for at least two years prior to seeking recognition. A recognized agency seeking expansion of its scope of recognition must demonstrate that it has the capacity to grant

accreditation covering the range of grade-completion or graduation levels for which it seeks the expansion of scope.

- II. The agency must demonstrate the standards, policies and procedures it uses to make decisions to grant or deny accreditation.

Subpart 2. Organizational and Administrative Requirements

- I. The Minnesota Nonpublic Education Council recognizes only an agency that:
 - a. has a voluntary membership of schools that teach students in K-12 schools;
 - b. has as a principle purpose of the accrediting of institutions that teach students in K-12 schools;
 - c. can demonstrate that it complies with applicable state and federal non-discrimination law; and
 - d. satisfies the “separate and independent” requirements in paragraph B of this section.
 - i. For the purposes of this section, the term “separate and independent” means:
 - A. the members of the accrediting evaluation teams and their leadership are chosen and conduct their activities under protocols that ensure the highest professional, ethical decision-making standards;
 - B. that effective procedures eliminate the possibility of conflict of interest;
 - C. the executive officers of the association recuse themselves when accrediting decisions are made involving a school with which they are associated; and
 - D. the association of accrediting agency shall provide either a graphic, chart or concise written description demonstrating how such protocols are implemented.
 - ii. The Minnesota Nonpublic Education Council considers that any joint use of personnel, services, equipment, or facilities by an agency and a related, associated, or affiliate trade association, membership organization, or religious denomination does not violate the “separate and independent” requirements of this section if:
 - A. the agency pays the fair market value for its proportionate share of the joint use; and
 - B. the joint use does not compromise the independence and confidentiality of the accreditation process.
 - iii. An agency seeking a waiver of the “separate and independent” requirements under any paragraph of this subpart must apply for the waiver to the Minnesota Nonpublic Education Council each time the agency seeks recognition or continued recognition.
- II. The agency must have the administrative and fiscal capability to carry out its accreditation activities in light of its requested recognition or continued recognition. The agency meets this requirement if it demonstrates that it has:
 - a. adequate administrative staff and financial resources to carry out its accrediting responsibilities;
 - b. competent and knowledgeable individuals, qualified by education and experience in their own right, and trained by the agency on its standards, policies, and procedures, to conduct its on-site evaluations, establish its policies, and make its accrediting decisions;
 - c. academic and administrative personnel on its evaluation, policy, and decision-making bodies;
 - d. clear and effective controls against conflicts of interest, or the appearance of conflicts of interest, by the agencies’ board of directors, commissioners, evaluation team members, consultants, administrative staff and other agency representatives; and
 - e. the agency maintains complete and accurate records of:

- i. its last two full accreditation reviews of each school, including on-site evaluation team reports, the school's responses to on-site reports, any reports of special reviews conducted by the agency between regular reviews, and a copy of the school's most recent self-study; and
- ii. all decisions regarding the accreditation of any school, including all correspondence that is significantly related to those decisions.

Subpart 3. Required Standards and their Application

- I. The agency must demonstrate that it has standards for accreditation (and pre-accreditation, if offered) that are sufficiently rigorous to ensure that the agency is a reliable authority regarding the quality of the education or training provided by the schools it accredits. The agency meets this requirement if:
 - a. The agency's accreditation standards effectively address the quality of the school in the following areas:
 - i. success with respect to student achievement in relation to the school's mission, including (as appropriate) consideration of course completion, graduation, standardized tests, and placement in post-secondary education or employment;
 - ii. curricula;
 - iii. faculty;
 - iv. facilities, schools must demonstrate that all facilities are safe and routinely maintained to assure that they remain in good, effective, working order and that all legal and code requirements are met;
 - v. fiscal and administrative capacity as appropriate to the specified scale of operations;
 - vi. student support services; and
 - vii. recruiting and admissions practices.
 - b. The agency's pre-accreditation standards, if offered, are appropriately related to the agency's accreditation standards and do not permit a school to hold pre-accreditation status for more than five years.
 - c. The agency requires that its accredited schools can demonstrate compliance with applicable state and federal non-discrimination law.
 - d. An agency that has established and applies the standards in paragraph A of this subpart may establish any additional accreditation standards it deems appropriate.

Subpart 4. Application of Standards in Reaching an Accrediting Decision

- I. The agency must have effective mechanisms for evaluating a school's compliance with its standards before reaching a decision to accredit the school. The agency meets this requirement if the agency demonstrates that it:
 - a. Evaluates whether a school:
 - i. maintains clearly specified educational objectives that are consistent with the school's mission and appropriate;
 - ii. is successful in achieving its stated objectives; and
 - iii. maintains grade-completion and graduation requirements that conform to commonly accepted standards.
 - b. Requires the school to prepare, following guidance provided by the agency, an in-depth self-study that includes the assessment of educational quality and the school's continuing efforts to improve educational quality.

- c. Conducts at least one on-site review of the program (at least once every ten years) and obtains sufficient information to determine compliance with agency standards
 - d. Allows the school the opportunity to respond in writing to the report of the on-site review.
- II. Conducts on-site reviews of the school program at least once every ten years to obtain sufficient information and evidence to determine compliance with agency accreditation standards.
- a. Provides the school with a detailed written report that assesses:
 - i. The school's compliance with the agency's standards, including areas needing improvement; and
 - ii. The school's performance with respect to student achievement.
 - b. The agency must consistently apply and enforce its standards to ensure that the education offered by the school, including any offered through distance education, is of sufficient quality to achieve its stated objective for the duration of any accreditation period granted by the agency. The agency meets this requirement if the agency:
 - i. has effective controls against the inconsistent application of the agency's standards;
 - ii. bases decisions regarding accreditation on the agency's published standards; and
 - iii. has a reasonable basis for determining that the information the agency relies on for making accrediting decisions is accurate.

Subpart 5. Monitoring and Reevaluation of Accredited Schools

- I. The agency must reevaluate at regularly established intervals, not exceeding ten years, the schools it has accredited.

Subpart 6. Enforcement of Standards

- I. If the agency's review of a school under any standard indicates that the school is not in compliance with that standard, the agency must:
 - a. immediately initiate adverse action against the school, or
 - b. require the school to take appropriate action to bring itself into compliance with the agency's standards within a period that must not exceed two years.
- II. If the school does not bring itself into compliance within two years, the agency must take immediate adverse action unless the agency, for good cause, extends the period for achieving compliance.

Subpart 7. Review of Standards

- I. The agency must maintain a systematic program of review that demonstrates that its standards are adequate to evaluate the quality of the education provided by the schools it accredits.
- II. The agency determines the specific standards it follows in evaluating its standards, but the agency must ensure that its program of review:
 - a. is comprehensive;
 - b. occurs at regular, yet reasonable intervals, or on an ongoing basis;
 - c. examines each of the agency's standards and the standards as a whole; and
 - d. involves all the agency's relevant constituencies in the review and affords them a meaningful opportunity to provide input into the review.

- III. If the agency determines, at any point during its systematic program of review, that it needs to make changes to its standards, the agency must initiate action within twelve months to make the changes and must complete that action within a reasonable period of time.

Subpart 8. Required Operating Policies and Procedures

- I. The agency must maintain adequate substantive change policies ensuring that any substantive change to the educational mission or programs of an accredited school does not adversely affect the capacity of the school to meet the agency's standards. The agency meets this requirement if:
 - a. The agency requires the school to obtain the agency's approval of the substantive change before the agency includes the change in the scope of the school's previous accreditation; and
 - b. the agency's definition of substantive change may include:
 - i. any change in the established mission or objectives of the institution;
 - ii. any change in the legal status, form of control, or ownership of the institution;
 - iii. the establishment of an additional location geographically apart from the main campus at which the institution offers at least 50 percent of its educational program; and
 - iv. the establishment of distance location programs through which the institution offers at least 25 percent of its educational program.
- II. The agency may determine the procedures it uses to grant prior approval of substantive change.

Subpart 9. Operating Procedures Requirements

- I. The agency must maintain and make available to the public, upon request, written materials describing:
 - a. each type of accreditation it grants;
 - b. the procedures that schools must follow in applying for accreditation;
 - c. the standards and procedures it uses to determine whether to grant, reaffirm, reinstate, restrict, deny, revoke, terminate, or take any other action related to each type of accreditation that the agency grants;
 - d. the schools that the agency currently accredits, and, for each school, the year the agency will next review or reconsider it for accreditation; and
 - e. the names, academic and professional qualifications, and relevant employment and organizational affiliations of the members of the agency's policy and decision-making bodies and the agency's primary administrative staff.
- II. The agency must:
 - a. review in a timely, fair, and equitable manner any complaint it receives against an accredited school that is related to the agency's standards or procedures;
 - b. take follow-up action, as necessary, including enforcement action, if necessary, based on the results of its review; and
 - c. review in a timely, fair, and equitable manner, and apply unbiased judgment to, any complaints against itself and take follow-up action, as appropriate, based on the results of its review.
- III. If a school elects to make public disclosure of its accreditation status, the agency must ensure that the school discloses that status accurately.
- IV. The accrediting agency must provide for public correction of incorrect or misleading information that an accredited school releases about:
 - a. the accreditation status of the school;

- b. the contents of reports of onsite reviews; and
- c. the agency's actions with respect to the school's accreditation.

Subpart 10. Due Process Requirements

- I. The agency must demonstrate that the procedures it uses throughout the accrediting process satisfy due process requirements. The agency meets this requirement if the agency does the following:
 - a. the agency uses procedures that afford a school a reasonable period of time to comply with the agency's requests;
 - b. the agency notifies the school in writing of any adverse action regarding accreditation, probation, or cause shown. The notice describes the basis of the action;
 - c. the agency permits the school the opportunity to appeal an adverse action; and
 - d. the agency notifies the school in writing of the result of its appeal and the basis for that result.

Subpart 11. Other Information an Agency must provide the Minnesota Nonpublic Education Council

- I. The agency must submit to the Minnesota Nonpublic Education Council on the required template:
 - a. an annual report including any major changes in the agency's policies, procedures, or accreditation standards;
 - b. a copy, updated annually, of its directory of accredited schools; and
 - c. a summary of the agency's major accrediting activities during the previous year, if requested by the Minnesota Nonpublic Education Council to carry out the council's responsibilities related to this part.

Subpart 12. Regard for the Authority of the State of Minnesota

- I. The agency may not accredit schools that lack legal authorization under applicable Minnesota law to provide a program of education to K-12 students (Minnesota Statutes, section 120A.22).

Part C – The Recognition Process

Subpart 1. Application

- I. An accrediting agency seeking initial or continued recognition must submit a written application to the Minnesota Nonpublic Education Council by February 1 of the year recognition is sought. The application must include:
 - a. a statement of the agency's requested scope of recognition;
 - b. evidence that the agency complies with the criteria for recognition listed in Part B; and
 - c. supporting documentation.
- II. The Minnesota Nonpublic Education Council does not make available to the public any confidential agency materials a representative reviews during the evaluation of either the agency's application for recognition or the agency's compliance with the criteria for recognition.

Subpart 2. Review by the Minnesota Nonpublic Education Council

- I. Upon receipt of an agency's application for either initial or continued recognition, Minnesota Nonpublic Education Council representatives will establish a schedule for the review of the agency.
- II. The recognition team of the Minnesota Nonpublic Education Council normally acts as the staff for the Council. It:
 - a. receives and evaluates applications;
 - b. oversees site visits to the agencies; and
 - c. prepares a written analysis of the agency, which includes a recognition recommendation for Minnesota Nonpublic Education Council action.
- III. Based on the results of the site visit, the Accrediting Committee of the Minnesota Nonpublic Education Council may request additional information or may inform the applicant that the Accreditation Committee will recommend to the Minnesota Nonpublic Education Council that it take one of the actions described in VI below.
- IV. The Accreditation Committee analyzes the agency's application to determine whether the agency satisfies the criteria for recognition or continued recognition, taking into account all available relevant information concerning the compliance of the agency with those criteria and any deficiencies in the agency's performance with respect to the criteria. The analysis takes into account:
 - a. site visits to the agency and at the agency's expense;
 - b. review of materials; and
 - c. review of information directly related to schools accredited by the agency relative to their compliance with the agency's standards, the effectiveness of the standards, and the agency's application of those standards.
- V. When it completes its review, the Accreditation Committee prepares a written report on the agency for the Minnesota Nonpublic Education Council on the following:
 - a. the accrediting organization's standards in its accrediting procedures;
 - b. the accrediting agencies ongoing planning and assessment of its work;
 - c. the accrediting organization's likely contribution to the quality and integrity of nonpublic education in Minnesota; and
 - d. the recommendation for action by the Minnesota Nonpublic Education Council.
- VI. The Accreditation Committee's recommendations may fall into the following categories:
 - a. The Accreditation Committee recommends approval of recognition if the agency complies with the criteria for recognition listed in Part B and if the agency is effective in its performance with respect to these criteria.
 - b. If the Accreditation Committee recommends approval, it also recommends a recognition period and scope of recognition.
 - c. If the agency fails to comply with the criteria for recognition in Part B or if the agency is not effective in its performance with respect to those criteria, the Accreditation Committee recommends denial of recognition, limited recognition, or suspension or termination of recognition for previously recognized agencies.
 - i. If the Accreditation Committee recommends denial, it specifies the reasons for its recommendation, including all criteria the agency fails to meet and all areas in which the agency fails to perform effectively.
 - ii. The Accreditation Committee may recommend deferral of a decision on recognition if it concludes that the agency's deficiencies do not warrant immediate loss of recognition and if it

concludes that the agency will demonstrate or achieve compliance with the criteria for recognition and effective performance with respect to those criteria within 12 months.

- iii. Deferral periods may not exceed 12 months, either as a single deferral period or in combination with any expiring deferral period in which similar deficiencies in compliance or performance were cited, except that the Minnesota Nonpublic Education Council may grant an extension of an expiring deferral period at the request of the agency for good cause shown.

VII. If, at any point in its evaluation of an agency seeking initial recognition, the Minnesota Nonpublic Education Council or its representatives determine that the agency fails to demonstrate substantial compliance with the basic eligibility requirements in Part B, the Minnesota Nonpublic Education Council:

- a. returns the agency's applications and provides the agency with an explanation of the deficiencies that caused the Minnesota Nonpublic Education Council to take that action; and
- b. recommends that the agency withdraw its application and reapply when the agency can demonstrate compliance.

VIII. Except with respect to an application that is withdrawn under paragraph G(2) of this subpart, when the Minnesota Nonpublic Education Council receives the report of the Accreditation Committee, it:

- a. acts on the recommendation of the Accreditation Committee; and
- b. requests additional materials or information if necessary and postpones its decision until the next Minnesota Nonpublic Education Council meeting.

IX. The recognition period may not exceed 5 years.

Subpart 3. Reapplication

- I. If the accrediting agency is denied initial approval, it may reapply to the Minnesota Nonpublic Education Council after 12 months.
- II. An agency may seek state recognition from the Minnesota Commissioner of Education as authorized in Minnesota Statutes, section 123B.445.

Subpart 4. Responsibilities of the Minnesota Nonpublic Education Council

- I. The Minnesota Nonpublic Education Council will act on applications for recognition at the first regularly scheduled council meeting after the submission of the Accreditation Committee's written report.
- II. The Minnesota Nonpublic Education Council will notify schools accredited by an agency if or when that agency's recognition status is terminated. A letter will be sent to each school at its last known address.

For more information, contact:

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