

# STATEMENTS OF POLICY

## Title 4—ADMINISTRATION

### PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

#### Reorganization of the Department of Education

The Executive Board approved a reorganization of the Department of Education effective September 8, 2004.

The organization chart at 34 Pa.B. 5265 (September 25, 2004) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of Code).

*(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) (relating to contents of Pennsylvania Code) as a document general and permanent in nature which shall be codified in the Pennsylvania Code.)*

[Pa.B. Doc. No. 04-1776. Filed for public inspection September 24, 2004, 9:00 a.m.]

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### PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

#### Reorganization of the Public School Employees' Retirement System

The Executive Board approved a reorganization of the Public School Employees' Retirement System effective September 9, 2004.

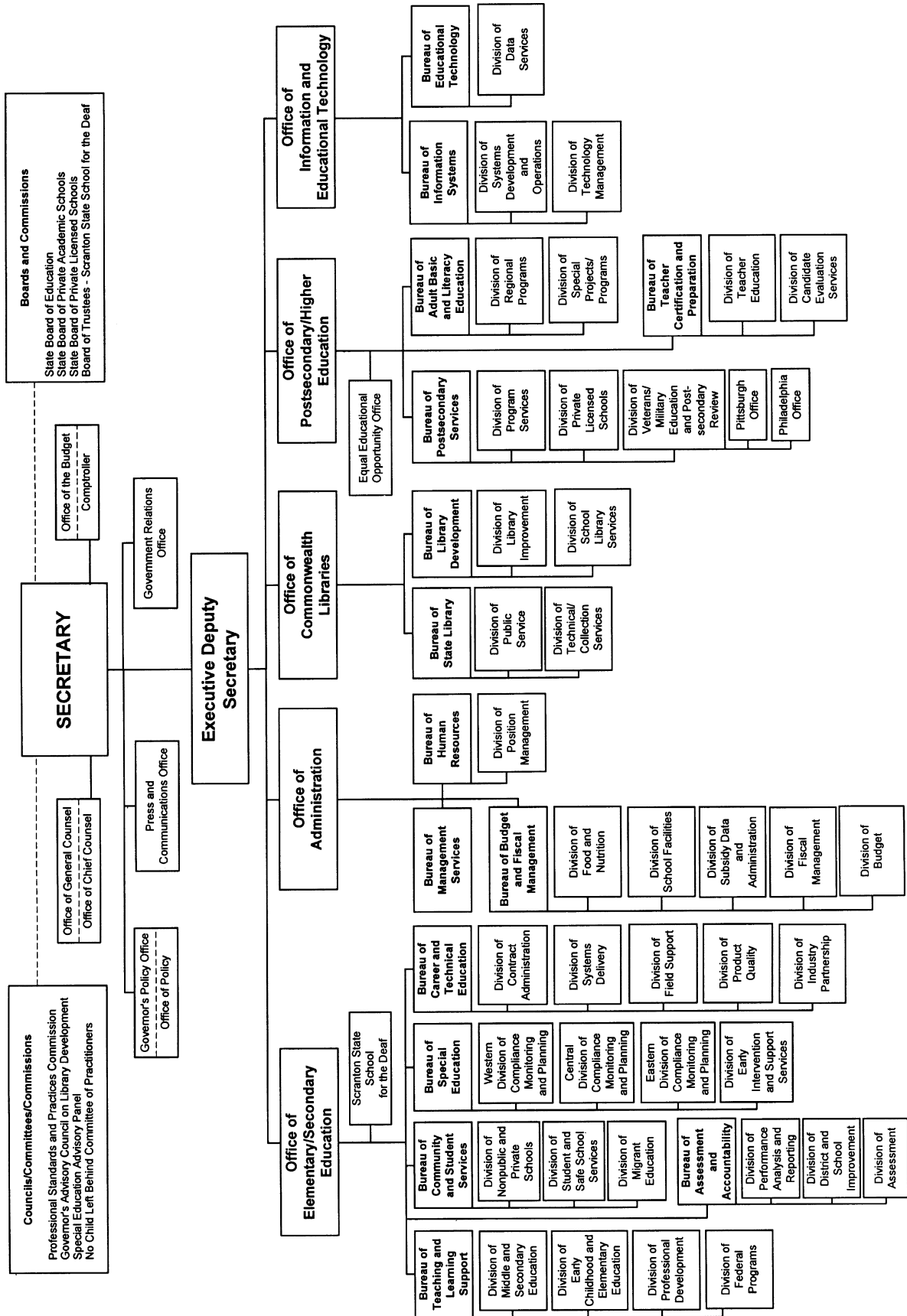
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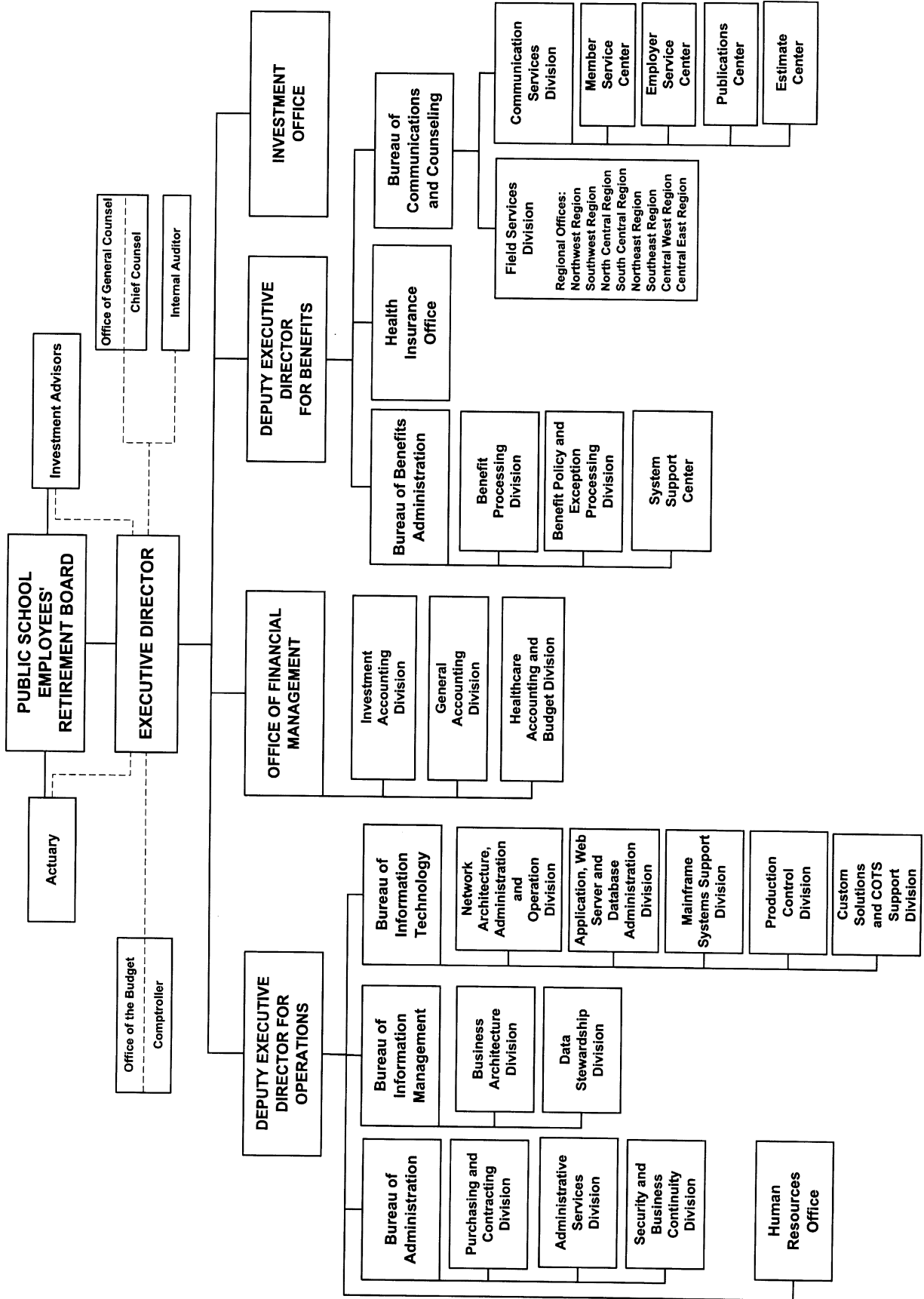
[Pa.B. Doc. No. 04-1777. Filed for public inspection September 24, 2004, 9:00 a.m.]

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DEPARTMENT OF EDUCATION



**PUBLIC SCHOOL EMPLOYEES' RETIREMENT SYSTEM**



# Title 22—EDUCATION

## STATE BOARD OF EDUCATION

[22 PA. CODE CH. 52]

### Accrediting Organizations

The State Board of Education (Board) adopts Chapter 52 (relating to accrediting organizations—statement of policy). This statement of policy contains the policies and procedures the Board plans to use in exercising its powers and duties under section 5 of the Private Academic Schools Act (act) (24 P. S. § 6705).

#### *Statutory Authority*

The act governs the licensure and operation of private academic schools. A “private academic school” is defined by section 2 of the act (24 P. S. § 6702) as follows:

A school maintained, or classes conducted, for the purpose of offering instruction for a consideration, profit or tuition to five or more pupils at one and the same time, or to twenty-five or more pupils during any school year, the purpose of which is to educate an individual generally or specially or to prepare an individual for more advanced study, and shall include all schools engaged in such education, except private trade schools, private business schools, private correspondence schools, private music schools, private dance schools, private art schools, private dramatic art schools, private schools of charm or poise, private driver training schools or any type of private school which is nonacademic in character.

Generally, a private academic school may not operate in this Commonwealth unless the school has obtained a license from the State Board of Private Academic Schools. See sections 4 and 6 of the act (24 P. S. §§ 6704 and 6706) and Chapter 51 (relating to general provisions). However, section 5 of the act provides for optional licensing of private academic schools, as follows:

Licensing shall not apply to colleges or universities, to schools maintained or classes conducted by employers for their own employees where no fee or tuition is charged, to schools or classes owned or operated by or under the authority of bona fide religious institutions or by the Commonwealth or any political subdivision thereof, to schools for the blind or deaf receiving Commonwealth appropriations, or to schools accredited by accrediting associations approved by the State Board of Education, but such schools may choose to apply for a license and, upon approval and issuance thereof, shall be subject to the provisions of this act.

Under section 5 of the act, when an accrediting association approved by the Board has accredited a private school, the school does not require a license issued by the State Board of Private Academic Schools.

#### *History*

Historically, the Board has entertained applications by accrediting associations for approval on an ad hoc basis. In addition, the Board’s practice has been to grant approvals without limitation of time. Because of the absence of a time limitation, ambiguities have emerged as approved accrediting organizations have evolved over the years. Consequently, the Board’s historical policy of ad hoc, indefinite approvals of accrediting associations has resulted in approved accrediting associations engaging in

accrediting private schools and programs for which the association had never sought approval from the Board in its initial application.

#### *Regulatory Approach*

The Department of Education (Department) and the State Board of Private Academic Schools brought these concerns and problems to the attention of the Board. Around the same time, the Board received inquiries regarding the process to be followed for submission of new applications from accrediting associations for approval under section 5 of the act.

To reform the system of approval and to solve the problems with the historical ad hoc system previously described, the Board determined that a more formal, deliberative and uniform approach was warranted. The Board considered promulgating a regulation. However, recognizing a need to be flexible in developing an appropriate process and the pressure to have a formal process in place promptly to address new applications, the Board decided to issue a statement of policy. As reflected in this statement of policy, the Board plans to implement its approval process through an agreement with the Department.

With experience gained under the statement of policy and its working agreement with the Department, the Board will consider in the future whether a regulation would be appropriate. Moreover, because its approach to this system of application and approval is fluid, the Board welcomes comments from interested persons and organizations.

#### *Transition*

To allow it time to develop a formal process, the Board granted 2-year approvals of the accrediting associations that had been requested approval around the time that the Board had decided that it needed a formal process. In addition, to remove uncertainty the Board deemed all accrediting activities of previously approved accrediting associations to have been approved activities. However, as it embarked on the process of developing a formal policy under section 5 of the act, the Board determined that it must set a time limit for approvals of accrediting associations and a process for renewal of approvals.

#### *Development*

The Board developed this statement of policy through an ad hoc committee of the Board, which worked in conjunction with the Board’s staff, personnel of the Department, members and staff of the State Board of Private Academic Schools and stakeholders.

#### *Summary of Policy*

Acting under a Memorandum of Understanding (MOU) with the Board, the Department will administer the processes governing applications submitted by accrediting organizations that seek Board approval under section 5 of the act. Under the MOU, the Department will make a recommendation to the Board regarding all applications that have been fully processed. See § 52.2 (relating to process). However, only the Board has authority under section 5 of the act to approve or disapprove an application.

Section 52.3 (relating to application) describes: (a) the elements of the application for approval; (b) the Board’s policies respecting criteria for accreditation; (c) the Board’s general expectations respecting candidacy review; (d) the Board’s policy preferences respecting site visits by accrediting associations; (e) the Board’s expectations re-

specting an approved accrediting association's policies and methodologies regarding an institution's obligation to engage in self-study and reporting, as well as periodic evaluation of accredited institutions; and (f) the Board's expectations respecting an organization's policies and procedures regarding accreditation renewal and monitoring.

Section 52.4 (relating to reporting) describes the Board's policy respecting an approved accrediting association's duty to report periodically to the Department.

As described in § 52.5 (relating to expiration and renewal), authority granted by the Board to accredit private academic schools will expire 5 years from the date of approval. On application made by the accrediting association, the Board may renew the approval for an additional 5 years. Section 52.5 describes the renewal process.

#### *Effective Date*

This statement of policy shall be in effect immediately for persons and entities that have actual knowledge of its contents, and it shall be in effect generally upon publication in the *Pennsylvania Bulletin*.

#### *Contact Information*

The official responsible for information regarding this statement of policy is James E. Buckheit, Executive Director, State Board of Education, 333 Market Street, Harrisburg, PA 17126-0333, (717) 787-3787, TDD (717) 787-7367.

(*Editor's Note:* The regulations of the Board, 22 Pa. Code, are amended by adding a statement of policy in §§ 52.1—52.5 to read as set forth in Annex A.)

JAMES E. BUCKHEIT,  
*Executive Director*

**Fiscal Note:** 6-289. No fiscal impact; (8) recommends adoption.

### **Annex A**

#### **TITLE 22. EDUCATION**

#### **PART II. STATE BOARD OF PRIVATE ACADEMIC SCHOOLS**

#### **CHAPTER 52. ACCREDITING ORGANIZATIONS—STATEMENT OF POLICY**

| Sec.  | Purpose.                |
|-------|-------------------------|
| 52.1. | Purpose.                |
| 52.2. | Process.                |
| 52.3. | Application.            |
| 52.4. | Reporting.              |
| 52.5. | Expiration and renewal. |

#### **§ 52.1. Purpose.**

The purpose of this chapter is to describe the policies of the State Board of Education (State Board) regarding applications made by accrediting organizations for approval under section 5 of the Private Academic Schools Act (24 P. S. § 6705).

#### **§ 52.2. Process.**

(a) The Department will administer the processes governing application by an accrediting organization seeking approval under section 5 of the Private Academic Schools Act (24 P. S. § 6705) and establish administrative policies regarding recognition of school accreditation by accrediting organizations in accordance with an agreement between the State Board of Education (State Board) and the Department.

(b) The Department will make a recommendation to the State Board regarding all applications that have been fully processed, but the final decision to approve or disapprove an application of an accrediting organization under section 5 of the Private Academic Schools Act rests solely with the State Board.

(c) An approved accrediting organization should not begin the accreditation process at a school until the school has been legally operating in this Commonwealth for 2 complete school years.

#### **§ 52.3. Application.**

An application for approval as an accrediting organization under section 5 of the Private Academic Schools Act (24 P. S. § 6705) should include the following elements.

(1) *Information specific to the applicant accrediting organization and its operations.*

(i) Staffing capacity.

(ii) Personnel expertise.

(iii) Affiliations, location of home office and relationship to operation in this Commonwealth.

(iv) Policies, including complaint and disclosure processes.

(v) Annual report.

(vi) Fee schedule.

(vii) Scope and types of programs for which authority to accredit is sought, including grade level.

(viii) Other information as the Department might deem appropriate.

(2) *Criteria for accreditation.* The application should include a statement of the applicant's criteria for accreditation, including formally adopted and incorporated standards guiding all aspects of an accredited school's operations. The criteria should include information regarding:

(i) Philosophy, mission, goals, objectives and benchmarks.

(ii) Governance and leadership.

(iii) Organizational design and staffing.

(iv) Educational programs, specified by type of school and grade level.

(v) Policies available for areas such as student reporting (confidentiality), safety, parental participation and notification, and complaint and disclosure processes.

(vi) Technology capabilities.

(vii) Student services.

(viii) Student activities.

(ix) Facilities—health and safety.

(x) Finances, including, for example, latest audit, budget, fees, available revenue sources, and the like.

(xi) Assessments of student learning.

(xii) Planning.

(xiii) Insurance.

(xiv) Teacher or faculty qualification, or both, (background, work experience, expertise, certification, and the like).

(xv) Other information related to criteria for accreditation.

(3) *Clearly defined candidacy review.* The application should include a description of a clearly defined process for review of candidates for accreditation, including the following:

- (i) Elements.
- (ii) Time in operation before being eligible for accreditation.
- (iii) Measurement standards.
- (iv) Procedure.

(4) *Site visits.* The application should include a description of the organization's policy and procedures regarding site visits, including:

- (i) Elements to be evaluated and methods of evaluation.
- (ii) Required documentation.
- (iii) Unannounced inspections permitted.
- (iv) Policies.
- (v) Community involvement program.

(5) *Self-study, evaluation and plan of action.* The application should include a description of the organization's policies and methodologies regarding an accredited educational institution's obligation to engage in self-study and its reporting obligations, the periodic evaluation of the accredited institution, and corrective plans of action (including time frames for completion).

(6) *Accreditation renewal and monitorship.* The application should include a description of the organization's policies and procedures regarding:

- (i) Identification cycle time—total and periodic reviews.

- (ii) Reporting of findings to the Department.

- (iii) Periodic reporting to the Department, including notification of noncompliance issues.

(7) *Additional information.* The Department may require additional information it deems necessary from the applicant.

#### **§ 52.4. Reporting.**

(a) An approved accrediting organization annually should make a report to the Department that includes a summary of its accreditation activity, including a listing of schools that have been accredited, the fees collected, its visitation schedule, and other information that the Department might deem appropriate.

(b) Accrediting organizations should make an immediate, one-time report to the Department regarding each educational institution that has gained or lost accreditation.

#### **§ 52.5 Expiration and renewal.**

(a) Authority to accredit schools will expire 5 years from the date of approval by the State Board of Education but may be renewed by the State Board every fifth year.

(b) The accrediting organization seeking renewal will prepare a self study, evaluation and plan of action and submit it to the Department 6 months prior to the expiration date.

(c) The Department will review the material, request additional information if necessary and recommend the State Board approve or deny renewal.

[Pa.B. Doc. No. 04-1778. Filed for public inspection September 24, 2004, 9:00 a.m.]