Regulatory Potpourri
&
New Program Application update

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Regulation of Certain Private and Out-of-State Institutions of Higher Education
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REGULATIONS GOVERNING CERTIFICATION OF CERTAIN INSTITUTIONS TO CONFER DEGREES, DIPLOMAS AND CERTIFICATES

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- Section 180 Application requirements
- Section 190 Withdrawal of application by a postsecondary school
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- Section 220 Procedural rules for the conduct of fact-finding conferences and hearings (09 2.2-4039 through 2.2-4039 of the Code of Virginia)
- Section 230 Criminal prosecution for violation
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- Section 250 Virginia law to apply to agreements
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- Section 290 Waiver by council
- Section 310 Student Tuition Guaranty Fund
- Section 320 Agent registration
Reporting of Enrollment Information to Sex Offender and Crimes Against Minors Registry

Each ... private two- and four-year institution of higher education physically located in the Commonwealth shall electronically transmit enrollment data including:
(i) complete name,
(ii) social security number or other identifying number,
(iii) date of birth, and
(iv) gender

to the Department of State Police, in a format approved by the State Police, for comparison with information contained in the Virginia Criminal Information Network and National Crime Information Center Convicted Sexual Offender Registry File.

for all applicants that are offered acceptance to attend the institution.

This data shall be transmitted before such time that an applicant becomes a "student in attendance" pursuant to 20 U.S.C. 1232g (a)(6) at that institution.

However, institutions with a rolling or instantaneous admissions policy shall report enrollment in accordance with guidelines developed by the Department of State Police in consultation with the State Council of Higher Education and the Virginia Community College System.

Reporting of Enrollment Information to Sex Offender and Crimes Against Minors Registry

- U.S. Department of Education - LAWS & GUIDANCE GENERAL
  - Letter re: Applicability of FERPA to Virginia Sex Offender Registry Law Requiring Disclosure of Applicant Information by Postsecondary Institutions

Health Histories Required; Immunizations.

- **State Council of Higher Education shall**, in cooperation with the Board and Commissioner of Health, **encourage private colleges and universities to develop a procedure for providing information about the risks associated with**
  - **Meningococcal disease**,  
  - **Hepatitis B**, and  
  - the availability and effectiveness of any vaccine against **meningococcal disease** and **hepatitis B**.


- How can meningococcal disease be prevented?  
  - A vaccine is available for the bacteria that cause meningococcal disease. Keeping up to date with recommended vaccinations is the best defense against the disease. Preventive treatment with antibiotics for household members, roommates, or anyone with direct contact with a patient's oral secretions (saliva or spit) can reduce the risk of infection. Good hygiene can reduce the risk of infection as well, such as hand washing, covering noses and mouths when sneezing or coughing, and not sharing cigarettes, straws, cups, glasses, or eating utensils.
Meningococcal disease

What is meningococcal disease?

Meningococcal disease is a serious illness caused by the bacterium *Neisseria meningitidis* (also known as "meningococcus"). A small proportion of infected people can develop a serious form of illness, such as meningitis (inflammation of the lining of the brain and spinal cord) or a bloodstream infection (septicemia).

Who gets meningococcal disease?

Anyone can get meningococcal disease, but it is more common in infants, children, adolescents and young adults. Other persons at increased risk include household contacts of a person known to have had this disease, people with immune system problems, and people traveling to certain parts of the world where meningococcal meningitis is prevalent.

How is meningococcal disease spread?

*Neisseria meningitidis* bacteria are spread through the exchange of respiratory and throat secretions. An infected person can spread the bacteria by coughing or sneezing directly into the face of others, kissing a person on the mouth, or sharing cups, water bottles, eating utensils, cigarettes, lipstick, or toothbrushes. A person may transmit the bacteria as long as they are present in the nose or throat, especially during the three days before symptoms begin. The bacteria are not spread by casual contact or by simply breathing the air where a person with the disease has been.

What are the symptoms of meningococcal disease?

The symptoms depend on where the infection is located. Meningococcal meningitis is characterized by a sudden onset of fever, headache, stiff neck, sensitivity to light, confusion, nausea, and vomiting. In newborns and infants, these symptoms may be absent or difficult to notice. The infant may appear to be slow or inactive, irritable, vomiting or feeding poorly. A less common but more severe form of meningococcal disease is meningococcal septicemia. The symptoms of meningococcal septicemia may include fatigue, vomiting, cold hands and feet, cold chills, severe pain in the muscles, joints, chest or abdomen, rapid breathing, diarrhea, and a dark purple rash.

How soon after exposure do symptoms appear?

Symptoms of infection may appear two to ten days after exposure, commonly three to four days.

How is meningococcal disease diagnosed?

Laboratory tests on samples of blood or cerebrospinal fluid are needed to confirm the diagnosis.
What is the treatment for meningococcal disease?

Meningococcal disease requires immediate treatment with antibiotics. Depending on how serious the infection is, other treatments may also be necessary, such as breathing support, medications to treat low blood pressure, and wound care for parts of the body with damaged skin.

How can meningococcal disease be prevented?

A vaccine is available for the bacteria that cause meningococcal disease. Keeping up to date with recommended vaccinations is the best defense against the disease. Preventive treatment with antibiotics for household members, roommates, or anyone with direct contact with a patient’s oral secretions (saliva or spit) can reduce the risk of infection. Good hygiene can reduce the risk of infection as well, such as hand washing, covering noses and mouths when sneezing or coughing, and not sharing cigarettes, straws, cups, glasses, or eating utensils.

How can I get more information about meningococcal disease?

1) If you have concerns about meningococcal disease, contact your healthcare provider.


Do you qualify for free Hepatitis B vaccine?

Some health departments and free clinics offer free hepatitis B vaccine. If you are an adult (19 years of age or older), you may qualify if one of these describes you:

- You are sexually active with more than one partner
- You have diabetes
- You are a household contact of a person with hepatitis B
- Your are a sex partner of a person with hepatitis B
- You are seeking evaluation or treatment for a sexually transmitted disease (STD)
- You are a male who has sex with males (MSM)
- You are a current or recent injection-drug user (IDU)
- You have HIV infection

Note: Persons less than 19 years of age qualify for free hepatitis B vaccine at health departments because it is required for school entry.

For more information

Visit our website at:
http://www.vdh.state.va.us/yahbii

Visit the CDC’s website on HBV at:
http://www.cdc.gov/hepatitis/B/bFAQ.htm#overview

Where do you get Hepatitis B Vaccine?

Local health departments in your area may provide free hepatitis B vaccine if you qualify as a high-risk adult. Your primary care physician may also have the vaccine.

To contact the health department in Virginia closest to you, visit:
http://www.vdh.virginia.gov/ldh/

Call for walk-in hours or make an appointment. Some may charge a small administration fee.

Hepatitis B
Know the Facts

Get Vaccinated!

Virginia Department of Health
Division of Immunization
109 Governor Street
Richmond, VA 23219
(804) 864-8055
http://www.vdh.virginia.gov/yahbii

Brought to you by VDH
Division of Immunization
Hepatitis B and You

What is hepatitis B?

Hepatitis B is a serious disease caused by the hepatitis B virus (HBV) that attacks the liver. It causes the liver to swell and prevents it from working well. HBV can be spread to other people.

Most adults exposed to HBV fully recover after six months. However, a small percentage (5%) have HBV all their lives.

Is hepatitis B a serious problem?

Yes. Each year, thousands of people of all ages in the United States get hepatitis B. About 5,000 persons die of chronic (life-long) liver problems caused by HBV.

Approximately 1.25 million persons in the U.S. are infected with chronic hepatitis B. Chronic infection can lead to cirrhosis, liver failure and liver cancer.

How is hepatitis B spread?

It is spread by:

- Contact with the blood of a person with hepatitis B.
- Contact with infected bodily fluids such as semen or vaginal secretions, e.g., contact during sex.
- A woman with HBV can spread the virus to her newborn baby while giving birth.

Who is at risk for hepatitis B?

You may be at higher risk of infection if:

- You are sexually active with more than one partner
- Your sex partner or a household member has hepatitis B
- You are a man who has sex with men
- You have had a sexually transmitted disease
- You use injection drugs
- You have a job that exposes you to human blood and/or bodily fluids
- You have diabetes
- You lived in, immigrated from or traveled for an extended period in a country where hepatitis B is common
- You have HIV infection
- You have worked or lived in a prison
- You are a kidney dialysis patient

What are the symptoms of hepatitis B?

People with acute or chronic HBV may not have symptoms. When symptoms occur, they may include tiredness, fever, loss of appetite, nausea, headache, muscle soreness, pain near the liver and jaundice. Jaundice is yellowing of the skin and the whites of the eyes.

Symptoms often begin two to five months after infection. Symptoms usually last for several weeks, but can last up to six months.

- Where do you get Hepatitis B Vaccine?
  - Local health departments in your area may provide free hepatitis B vaccine if you qualify as a high-risk adult. Your primary care physician may also have the vaccine.
  - To contact the health department in Virginia closest to you, visit:
    http://www.vdh.virginia.gov/lhd/

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Education Programs on Economic Education and Financial Literacy

Virginia public colleges and universities shall make provisions for the promotion of the development of student life skills through the inclusion of the principles of economics education and financial literacy within an existing general education course, the freshman orientation process or other appropriate venue.

These principles may include, but need not be limited to:
- Instruction concerning personal finance, such as
  - credit card use,
  - opening and managing an account in a financial institution,
  - completing a loan application,
  - managing student loans,
  - savings and investments,
  - consumer rights and responsibilities,
  - predatory lending practices and interest rates,
  - consumer fraud,
  - identity theft and protection, and
  - debt management.

SCHEV shall also encourage private colleges and universities to include such principles as part of their student orientation programs.
We surveyed 668 current college students to find out how much they know about consumer credit and the impact it has on financial decisions. Based on our responses, we can conclude that college students know virtually nothing about building and maintaining consumer credit and, generally, lack education surrounding consumer finances. You can find the key takeaways from our survey below:

- 59% of students surveyed could not explain the impact of a credit score.
- 96% of students surveyed did not know the range of possible FICO credit scores.
- 86% of students surveyed do not know the difference between a hard and soft credit inquiry.
- 86% of students surveyed could not provide at least one way to improve a credit score.
- 600 of students surveyed reported that they would rather have a low credit score.
- 65% of students surveyed reported that they did not have a credit card in their own name.
- 44% of students surveyed could not provide one action that would negatively impact a credit score.
Economic Education and Financial Literacy Resources


Protective Eye Devices

Every student and teacher in any school, college, or university shall be required to wear industrial quality eye protective devices while participating in any of the following courses or laboratories:

1. Career and technical education shops or laboratories involving experience with:
   a. Hot molten metals;
   b. Milling, sawing, turning, shaping, cutting, grinding, or stamping of any solid materials;
   c. Heat treatment, tempering, or kiln firing of any metal or other materials;
   d. Gas or electric arc welding;
   e. Repair of any vehicle, or
   f. Caustic or explosive materials;

2. Chemical or combined chemical-physical laboratories involving caustic or explosive chemicals or hot liquids or solids.

The governing board or authority of any ... private school or the governing body of each institution of higher learning shall furnish the eye protective devices prescribed in this section free of charge or at cost to the students and teachers of the school participating in such courses or laboratories; however, such devices may be furnished by parents or guardians of such students. Eye protective devices shall be furnished to all visitors to such courses.

"Industrial quality eye protective devices," as used in this section, means devices providing side protection and meeting the standards of the American Standards Association Safety Code for Head, Eye, and Respiratory Protection, 22.1-1959, promulgated by the American Standards Association, Inc.
Reporting of Certain Students Issued Student Visas.

Each ... private two- and four-year institution of higher education in the Commonwealth and the governing board, president, or director of any correspondence school, postsecondary school, or proprietary career school, as defined in § 23-276.1, or flight school in the Commonwealth shall:

inform the Attorney General of the Commonwealth whenever a student who has been accepted for admission to such an educational institution pursuant to a student visa fails to enroll or who has been attending such an educational institution pursuant to a student visa and withdraws at such institution or violates the terms of his visa.

The notification shall contain all available information from the U.S. Immigration and Naturalization Service form I-20 and shall be submitted not later than thirty days after the discovery of the reportable event.

The Attorney General shall notify the U.S. Immigration and Naturalization Service and other appropriate national, state, and local agencies of any such failure to enroll, withdrawal, or student visa violations.

Institutional Crisis and Emergency Management Plan

Private two-year and four-year institutions of higher education, postsecondary schools, and proprietary career schools are encouraged to develop a institutional crisis and emergency management plan that will establish the operation of the school in the event of a crisis, and maintain emergency services, and disaster preparedness activities.
Required Comprehensive Plan for Closure and a Teachout Plan

- A Comprehensive Plan for Closure and a Teachout Plan will make provision for
  - presently enrolled students to complete the program of instruction for which they have enrolled,
    - either at the school or
    - at another school certified by the Council or
    - authorized to operate in the Commonwealth.
  - The school shall obtain the Council’s approval of the teachout plan prior to implementation.
- If there is no comparable program for the purposes of developing a teachout plan within 50 miles of the closing school or
  - if the closing school is unable to enter a teachout agreement with another school.
    - Then the school must notify SCHEV.
- Owners or senior administrators of a postsecondary school that closes without providing
  - an adequate teachout plan or refunds of unearned tuition and
  - appropriate preservation of records shall be denied certification to operate another postsecondary school in the Commonwealth.

Closure of a Postsecondary School

- Permanent records shall include the academic records of each student, which should include:
  1. Academic transcripts showing the basis of admissions, transfer credits, courses, credits, grades, graduation authorization, and student name changes for each student;
  2. Transcripts of financial aid for each student, if maintained;
  3. Foreign student forms for foreign students;
  4. Veterans Administration records for veterans;
  5. Copies of degrees, diplomas, and certificates awarded, if maintained;
  6. One set of course descriptions for all courses offered by the school; and
  7. Evidence of accreditation, if any, during the years covered by transcripts.
Gainful Employment Resources

Application for New Program Approval

Institution Name: ___________________________ Date Submitted: ___________________________

Institutional Accreditation Agency

The Virginia campus location where the program will be offered. (Each branch campus requires a separate form)

List all out-of-state campuses where the program is currently offered. (out-of-state institutions only)

Program Title: (program name must adhere to the CIP taxonomy maintained by the National Center for Education Statistics)


This new Program conforms to the institutional accreditation: YES □ NO □

The program will be offered in the following format:

- Face-to-Face □
- On-Line □
- Hybrid □

Is the institution accredited? YES □ NO □ Accreditation Agency

Degree or Credential to be Awarded

Degree or Credential Type: (Select One)

- Diploma
- Certificate
- Associate of Applied Science (A. A. S.)
- Associate of Occupational Science (A. O. S.)
- Associate of Science (A. S.)
- Associate of Arts (A. A.)
- Bachelor of Arts (B. A.)
- Bachelor of Science (B. S.)
- Master of Arts (M. A.)
- Master of Science (M. S.)
- Doctoral (Ph.D)
- Other:

Does the Institution currently award this level of degree or credential for other programs? YES □ NO □

Program Duration

- Clock Hours number of hours Classroom Hours Tuition
- Credit Hours number of hours Lab Hours Registration Fee
- Externship/Clinical Hours Books and Materials Other Costs

Total Hours Total Program Cost

Anticipated Start Date:

Program Objective/Description: Provide anticipated student learning outcomes. (Include a statement demonstrating that the proposed program is consistent with the institution’s stated purpose.)
Program Breakdown by Course (attach additional sheet if needed to include all courses offered in program) Unaccredited institutions must submit course descriptions.

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For Programs Requiring Externship/Clinical Experiences:

If the program requires students to complete an externship/clinical experience, attach copies of agreements between the institution and all clinical sites.

Standard Occupational Classification

Standard Occupation Classification (SOC) codes are published by the Department of Labor and are available at www.bls.gov/soc. There is a crosswalk between CIP and SOC codes that can be found at: www.onetonline.org/crosswalk.

Provide the relevant SOC codes and titles that correspond to the programs selected CIP code that best match the jobs program graduates will get after completion of this program. Example 11-1011.00 – Chief Executive

1. ________________
2. ________________
3. ________________
4. ________________
5. ________________

For CIP codes that do not crosswalk to one or more SOC codes, institutions can add a SOC code that aligns significantly and substantively with the program learning outcomes, provided that the institution has evidence that graduates of the program will be qualified to find employment in that field.

The SOC codes that an institution should use for ESL and ESOL programs should be the SOC codes that align with the employment of the students who complete the program.

For institutions of Higher Education Only

As required by 8VAC40-31-140, the institution shall ensure that: (i) a properly credentialed and course qualified instructor teaches each course; (ii) a credentialed and course qualified academic advisor is available to meet the concerns of the student, and that a student contact by any method will elicit a response from the advisor within a reasonable timeline; (iii) continual curriculum development and oversight for each major and concentration/track is maintained; and (iv) a program director is named and designated to oversee each program area.

Will the institution satisfy the above requirement? YES [ ] NO [ ]

For Career-Technical Institutions Only

If certification by exam or license is required to work in the field, please provide evidence that the institution is authorized by the state or certifying corporation. Additionally, please provide evidence that the program conforms to state, federal, trade, or manufacturing standards of training for the occupational field.
For Career-Technical Institutions Only

Faculty, if teaching technical courses for career-technical programs not leading to a degree and not offered as degree credit, must either (i) hold an associate degree from an accredited college or university in the discipline being taught or (ii) possess a minimum of two years of technical/occupational experience in the area of teaching responsibility or a related area. The instructor must hold the appropriate certificate or license in the field, if certification or licensure is required to work in the field.

Will all faculty members satisfy the above requirement? YES ☐ NO ☐

Mail form and company or cashiers' check, in the amount of $100, made payable to the Treasurer of Virginia, to:
State Council of Higher Education for Virginia
ATTN: Private and Out-of-State Postsecondary Education
101 N. 14th Street, 9th Floor
James Monroe Building, Richmond VA 23219

SCHEV Use Only:

Date Received: ___________________________  Date Processed: ___________________________

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