

HIGHER EDUCATION

COMMISSION ON HIGHER EDUCATION

Licensure Rules

Proposed Readoption with Amendments: N.J.A.C. 9A:1

Authorized By: Commission on Higher Education; Laurence Downes, Chair

Authority: N.J.S.A. 18A:68-3

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2008-52

Submit Written Comments by Friday, May 2, 2008, to:

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The agency proposal follows:

Summary

Under State law, the Commission on Higher Education is responsible for licensing institutions of higher education to offer college-credit-bearing coursework and programs in New Jersey. The Commission's licensure rules (N.J.A.C. 9A:1) set forth the standards that any institution or other entity seeking to offer academic credit-bearing courses or programs must meet to qualify for a license. Pursuant to N.J.S.A. 52:14B-5.1c. and Executive Order No.66 (1978), the rules governing licensure expire on February 6, 2008. An administrative review was conducted, with extensive consultation with institutions and ad hoc advisory groups; this process resulted in suggested revisions to the current licensure rules. Accordingly, the Commission proposes readoption with amendments.

As this notice was submitted to the Office of Administrative Law prior to the rules' expiration date, that date is extended 180 days, to August 4, 2008. As the Commission has provided a 60-day comment period on this notice of the proposal, this notice of proposal is excepted from the rulemaking calendar requirements, pursuant to N.J.A.C. 1:30-3.3(a)5. The rules proposed for readoption with amendments are organized in eight subchapters, as follows.

Subchapter 1 contains definitions and presents general licensure standards in such areas as organization and administration, finance, faculty, libraries, student services, physical facilities, and official publications.

In the definitions section (N.J.A.C. 9A:1-1.2), an updated CIP code reference under "academic disciplines" to the CIP code is proposed. A definition of "adjunct faculty" is proposed; the term appears in the current rules and proposed amendments. The definition of "full-time faculty member" would be modified to make the definition relevant to institutions that

do not have faculty rank. Three proposed new definitions concern the library rule (N.J.A.C. 9A:1-1.9) and proposed amendments thereto: “information literacy” reflects modifications in those rules; a definition of “library” clarifies required components, and a definition of “qualified library professional” refers to the proposed new requirement of at least one such employee at every college (with a limited exception for institutions whose collections are not in English).

Proposed for N.J.A.C. 9A:1-1.3(e) is additional language requiring all newly licensed unaccredited institutions to seek accreditation within three years of licensure. (A timeframe to achieve accreditation was not specified because various accreditors may have different processes and timetables leading to accreditation). The proposed amendment also provides for a licensure process in the case of an accredited institution in good standing choosing to end its affiliation with an accreditor. Mandatory participation in the Commission’s Student Unit Record Enrollment (SURE) data system for any institution receiving direct State support or participating in State student assistance grant and scholarship programs is proposed in a new subsection (f). All public and some independent institutions of higher education currently participate on a voluntary basis in the system; the amendment would make this a requirement in specified circumstances and increase the number of participating institutions. Existing subsections (f) through (i) are recodified as subsections (g) through (j). The proposed addition of subsection (k) addresses the case of an institution that ceases operations or has its license revoked. The subsection would create new requirements for submission of information on guardianship of student records, arrangements for the continued education of currently enrolled students at other institutions or through other means, and evidence of communication with student assistance entities. The proposed addition of subsection (l) establishes the requirement that all licensed institutions comply with State and Federal statutes and regulations and requires reporting of findings of noncompliance to the Commission.

The proposed amendment of N.J.A.C. 9A:1-1.5(b) permits submission of catalogs to the Commission via electronic means, in recognition of the prevalence of electronic publication of catalogs at higher education institutions. The proposed amendment of N.J.A.C. 9A:1-1.7(c) requires that the management letters that generally accompany audited financial statements be submitted annually to the Commission along with the statements. The amendment clarifies that New Jersey institutions must submit this information annually, and out-of-State institutions offering credit programs or courses in New Jersey must provide the information upon request.

Various clarifying amendments are proposed for the section on faculty. A proposed new subsection at N.J.A.C. 9A:1-1.8(b) specifically addresses the matter of faculty development, with language proposed for deletion from existing N.J.A.C. 9A:1-1.8(a) and (c), along with other text. Recodified subsection (c) addresses periodic evaluation of part-time and adjunct faculty; new language calling for consistency with institutional policy and/or collective bargaining agreements is proposed. Proposed modifications to recodified subsections (d) and (e) clarify required faculty qualifications and their applicability to both full-and part-time faculty, and specify credentials required for a majority of all full-time and part-time faculty. Recodified subsection (f) would expand and clarify the qualifications required for faculty teaching in graduate programs. Proposed amendments for recodified subsection (g) elaborate on the standards for qualifications of adjunct faculty, and for recodified subsection (h) clarify that the principles of academic freedom apply to all faculty, including those in temporary appointments and adjunct faculty.

N.J.A.C. 9A:1-1.9 concerns libraries. Significant amendments are proposed: there would be new requirements to have at least one qualified library professional as well as other librarians and support staff, with an exception for institutions whose collections are not in English; establish standards for the development and maintenance of collections; provide for clear and consistent methods for access to electronic resources; document library education programming; develop standards for contractual or consortial agreements for providing library collections and services; and require a plan for students to obtain information literacy skills and documentation of outcomes in achieving information literacy.

The requirement in N.J.A.C. 9A:1-1.10(d) regarding permanent deposit of student transcripts when an institution closes is proposed for deletion because substantial new language concerning this issue has been proposed for N.J.A.C. 9A:1-1.3(k) through (l). Requirements regarding annual filing of college catalogues are proposed for amendment. N.J.A.C. 9A:1-1.12(b) and (d) would be modified to permit electronic updating and filing, or in subsection (d), providing reference to a web site address for access to the institution's catalog.

Subchapter 2 outlines general requirements and standards such as credit minimums for programs at the various academic degree levels, general education requirements, and criteria for exceeding or changing the programmatic mission of an institution. N.J.A.C. 9A:1-2.1(c) is proposed for amendment to require Commission approval, in consultation with the Presidents' Council, if an institution desires to award more than one semester credit hour (SCH) for an experience compressed into one week's time or less, in conformance with language elsewhere in the rules regarding the Presidents' Council's consultative rather than approval role. The proposed addition of subsection (f) establishes a minimum percentage of SCHs in an academic year that must be taught by full-time faculty (40 percent), and includes information on how compliance will be calculated. Proposed additions to N.J.A.C. 9A:1-2.5(c) provide for electronic collections in a graduate school's library collections and require support of a qualified library professional for graduate faculty and programs. Proposed additions to N.J.A.C. 9A:1-2.8 clarify the need for research and scholarly qualifications for graduate faculty and require institutions to provide the time necessary for instruction and guidance as well as thesis supervision and research guidance, consistent with N.J.A.C. 9A:1-2.8(f).

Subchapter 3 delineates programmatic and organizational standards and resources, and petition requirements that a higher education institution must meet to use the term "university" in its name. No amendments are proposed.

Subchapter 4 contains licensing standards beyond those in subchapter 1 that proprietary institutions must meet to offer collegiate courses and award degrees. The standards address such matters as changes in ownership, duration of license, library requirements, faculty workloads, and the governing board. Proposed additions to N.J.A.C. 9A:1-4.4 emphasize the application of the standards in N.J.A.C. 9A:1-1.9 to proprietary institutions and require the libraries at such institutions to provide qualified library professional(s), librarians and support personnel in numbers sufficient to meet the needs of student and faculty.

Subchapter 5 prescribes rules beyond those in Subchapter 1 for out-of-State institutions seeking approval to offer credit-bearing collegiate coursework in New Jersey. The requirements cover both initial and renewal licenses, petition procedures and contents, and petition review processes. Proposed additions to N.J.A.C. 9A:1-5.1(e) clarify that degree completion programs are to be licensed under timeframes applicable to institutions offering credit-bearing courses but

not a degree, and provide a range of initial licensure periods from one to three years instead of the two years in the current rule. The proposed amendment of N.J.A.C. 9A:1-5.2 requires submission of management letters in petitions for licensure from out-of-State institutions.

Subchapter 6 addresses off-campus offerings by New Jersey colleges and universities. The rules require advance approval by the Commission for new branch campuses, providing general standards and specifying required information to be included in the formal request for approval. Advance approval of extension centers is not required. Also addressed are standards for off-campus offerings in conjunction with noncollegiate organizations. N.J.A.C. 9A:1-6.2(b) would be amended to require additional information in a request for approval, namely evidence of the dedication of sufficient resources to implement and maintain the branch campus without eroding the quality of ongoing programs and operations. Guidance on the proportion of courses that should be taught by full-time faculty at a branch campus is proposed for addition to subsection (c), replacing less specific language in the current rule.

Subchapter 7 covers distance and hybrid learning. The rules delineate standards for New Jersey institutions; address the granting of degrees for collaborative distance learning and hybrid programs and the counting of students enrolled in multiple institutions, and outline review/approval requirements. For out-of-State institutions or entities, the rules apply only to those seeking to offer credit-bearing distance learning with a physical presence in this State. No amendments are proposed.

Subchapter 8 implements N.J.S.A. 18A:3-15.1 et seq., which concerns fraudulent academic degrees. The rules define “duly authorized institutions” in other states and foreign countries, prohibit a person’s using a degree designation unless the degree was granted by a duly authorized institution, and require that honorary degrees be so identified. No amendments are proposed.

#### Social Impact

The rules proposed for readoption with amendments establish criteria and processes to ensure that any institution (public, private nonprofit, or proprietary), whether incorporated in the State or not, offering college-level coursework in New Jersey meets standards of quality. Application of the standards protects the citizens of New Jersey, individuals attending college or university in New Jersey, and employers. The proposed amendments contribute further to the quality of higher education, clarify standards to make compliance more effective, and in specific instances, reduce administrative burdens.

#### Economic Impact

The rules proposed for readoption with amendments have no direct economic impact on New Jersey or the State’s higher education institutions. An indirect impact flows from the fact that to meet the requirements set forth in the rules, institutions must allocate resources (employees, materials, equipment, etc.) to ensure compliance with the standards. The cost of such compliance varies from institution to institution and within a particular institution, depending on the area involved, but may not always represent additional cost. The licensure rules set minimum standards, which are exceeded by many institutions. There may be new costs associated with participation in the Student Unit Record Enrollment system for some institutions, but technological developments in recent years have reduced implementation costs, and the Commission is prepared to provide training in the system to new participants at no cost.

### Federal Standards Statement

The rules proposed for readoption with amendments are not subject to a Federal standards analysis under Executive Order No. 27 (1994) and N.J.S.A. 52:14B-22 et seq. because the licensure function of the Commission on Higher Education is not subject to any Federal requirements or standards.

### Jobs Impact

The rules proposed for readoption with amendments will not result in the generation or loss of any jobs.

### Agriculture Industry Impact

The rules proposed for readoption with amendments will have no impact on the agriculture industry.

### Regulatory Flexibility Analysis

The rules proposed for readoption with amendments affect some proprietary and private nonprofit institutions in the State with fewer than 100 employees. These are small businesses as defined by N.J.S.A. 52:14B-16 et seq., the Regulatory Flexibility Act. Currently, up to 10 colleges in the State meet this definition; others may seek licensure in the future. The rules require such schools to meet certain criteria to ensure the quality of the college-level education they offer. In order to meet these criteria, the school must allocate resources to ensure compliance with the standards; the cost of compliance varies, but may not always represent additional cost. No professional services need be employed to comply with the rules proposed for readoption with amendments. The schools meeting the definition of small businesses are held to the same standards as other colleges offering similar instruction. The standards cannot be lessened for small businesses without seriously diluting the quality of the college-level education offered by those institutions. Therefore, no differing standards based on business size are offered.

### Smart Growth Impact

The rules proposed for readoption with amendments will have no impact on the achievement of smart growth and the implementation of the State Development and Redevelopment Plan.

Full text of the rules proposed for readoption may be found in the New Jersey Administrative Code at N.J.A.C.9A:1.

Full text of the proposed amendments follows (additions indicated underlined thus ; deletions indicated in brackets [thus]):

## SUBCHAPTER 1. GENERAL STANDARDS

### **9A:1-1.2 Definitions**

The following words and terms, as used in this chapter, shall have the following meanings unless the context clearly indicates otherwise [.] :

...

“Academic disciplines” means the major areas of study identified in the Classification of Instructional Programs (CIP), that is, the first two digits of the CIP code, developed by the National Center for Education Statistics, [1990] 2000, incorporated herein by reference. The CIP may be obtained from the National Center for Education Statistics, 555 New Jersey Avenue NW, Washington, DC 20208-5652.

...

“Adjunct faculty” means one who is employed to teach on a course-by-course or credit basis.

...

“Full-time faculty member” is one who is appointed as such and who occupies a full-time faculty position with academic rank [and] or other equivalent title whose primary employment is directly related to teaching, research, and/or other aspects of the educational programs of institutions.

...

“Information literacy” means a set of abilities requiring individuals to recognize when information is needed, have the ability to locate, evaluate, and use effectively the needed information, and observe laws, regulations, and institutional policies related to the access and use of information.

...

“Library” means a physical space conducive to learning and research, providing patrons with efficient physical and electronic access to books, journals, databases, and other resource materials in support of the curriculum, and offering the assistance of qualified library professional(s), librarians, and support staff.

...

“Qualified library professional” means an individual who has earned a master of library science degree from an American Library Association accredited program.

...

### **9A:1-1.3 Licensure**

(a)-(d) (No change.)

(e) With respect to an unaccredited New Jersey institution, that is, one that is not accredited as a discrete entity by an institutional accrediting body recognized by the U.S. Secretary of Education, the Commission shall grant licensure for a specified period not to exceed three years in the first instance or more than five years in subsequent instances. Under such conditions, the institution, if it wished to continue to offer credit-bearing courses in New Jersey, would be required to petition the Commission for relicensure at least six to eight months before the expiration of the current license. Licensed unaccredited institutions shall seek accreditation by an institutional accrediting body recognized by the U.S. Secretary of Education within three years of initial licensure. Accredited institutions that cease affiliation with an institutional accrediting body while in good standing may

petition the Commission for licensure to offer credit-bearing courses or degree programs in New Jersey.

(f) As a condition of licensure, institutions of higher education that receive direct state support and/or participate in state student assistance grant and scholarship programs shall participate in the Commission's Student Unit Record Enrollment (SURE) data system within one year of initial licensure. The Commission shall enter into a memorandum of understanding with institutions participating in the SURE system with regard to the uses of data and protections of student privacy.

Recodify existing (f) –(i) as (g)-(j) ( No change in text

(k) An institution that decides to voluntarily cease operations or whose licensure has been revoked shall inform the Commission immediately of the following:

1) The planned date of termination of operations;

2) The planned date and location for the transfer of student records;

3) The name and address of the organization to receive and manage the student records and the name and contact information of the office or official who is designated to manage transcript requests;

4) Arrangements for the continued education of currently enrolled students via teach-out agreement or other practical solution; and.

5) Evidence of communication with the New Jersey Higher Education Assistance Authority and the U.S. Department of Education regarding the appropriate actions concerning state grant and scholarships, state loans, federal grants and scholarships, and federal loans as applicable.

(l) All licensed institutions shall comply with State and Federal statutes and regulations. Licensed institutions shall report findings of noncompliance by State or Federal agencies to the Commission.

#### **9A:1-1.5 Mission statement and long-range plan**

(a) (No change.)

(b) As a condition of licensure, an institution shall develop and promulgate a mission statement and publish it in the institution's official catalog, [, a copy of which] The catalog shall be filed with the Commission on paper or electronically on an annual basis.

(c) (No change.)

#### **9A:1-1.7 Finances**

(a)-(b) (No change.)

(c) Each licensed New Jersey institution shall furnish annually to the Commission a copy of its audited financial statement and management letter(s) (if issued) on or before December 31 of each year. An out-of-State institution licensed to offer credit-bearing

courses or degree programs in the State shall furnish to the Commission a copy of its audited financial statement and management letter(s) upon request of the Commission.

(d) (No change.)

### **9A:1-1.8 Faculty**

(a) While the governing board is the source of institutional policy, the faculty is the source of the institution's curricular development, delivery, and renewal. Instruction is a principal responsibility of faculty [, and faculty should constantly strive to develop themselves professionally and should be encouraged to do so]. Beyond this essential academic responsibility, faculty are key to an institution's professional, research, and/or service programs. A core of full-time faculty ensures coherence and drives progress towards attainment of the academic mission.

(b) Faculty should constantly strive to develop themselves professionally, including maintaining currency with their disciplines and the uses of newer methods of teaching and learning. Faculty should have available to them and be encouraged to engage in professional development programs throughout their careers.

[(b) Each] (c) Consistent with institutional policy and/or collective bargaining agreements, each institution should periodically evaluate faculty performance, including part-time and adjunct faculty. The institution shall document and maintain appropriate records attesting to faculty qualifications, performance, and achievements. It should define clearly and disseminate the criteria and the process for promotion.

(c) [Newly appointed] (d) Full-time and part-time faculty teaching at the associate degree level should possess as a minimum qualification an earned master's degree in the field in which they are teaching, if such a qualification exists (recognizing that some technical/occupational specialties offer no such degree) or an equivalent qualification in the field in which they are appointed. [Faculty should have available to them and be encouraged to engage in professional development programs throughout their careers]. The majority of all faculty at an institution offering [an] only the associate degree shall have at least a master's degree in the field in which they are teaching.

[(d) (e) Full-time and part-time faculty appointed to any rank above instructor at baccalaureate degree-granting institutions shall have earned the doctorate or an equivalent combination of qualification and experience in the field in which they are appointed. A [significant number] majority of all faculty [should] shall have the doctorate or [another appropriate terminal degree] an equivalent qualification in the field in which they are appointed.

[(e) Faculty] (f) Full-time and part-time faculty teaching in graduate programs shall [hold appropriate terminal degrees] have earned the doctorate or an equivalent qualification in the field in which they are appointed. [They shall be productive contributors to the field of their specialties.] They shall engage in an active pattern of professional productivity as evidenced by research, peer reviewed publication, authorship, editorial services, creative work, artistic production , patents, applied research, service to professional associations and organizations, program design, and/or the scholarship of instruction. The academic schedule should permit adequate time for instruction, advisement, direction of research, and supervision of theses, as well as continued professional growth and scholarly activity.

[(f) [Part-time and adjunct] (g) Adjunct faculty shall possess the same qualifications as full-time and part-time faculty. [or compensating preparation, as the institution determines] Adjunct faculty shall be academically qualified to teach all courses to which they are assigned. When appropriate in the judgment of the institution, compensating preparation or experience may be taken into account in judging whether an adjunct instructor is academically qualified to teach a particular course.

[(g)](h) Regardless of the specific nature of an academic appointment, be it initial, multi-year, temporary, or permanent, the principle of academic freedom shall apply to all faculty, including adjunct faculty, for it is only through academic freedom that ideas and data can be explored without prejudice. An institution shall promulgate a statement concerning the academic freedom of faculty members that should include a statement supporting the following principles:

1.-3. (No change.)

### **9A:1-1.9 Library**

(a) At its most elementary level, the collegiate teaching and learning process cannot proceed effectively without the essential services, collections, computerized network access, and other resources that are provided and administered by an institution's library. For this reason, much emphasis is placed upon the adequacy of the library, its collections, and its staffing. In the 21st century, emphasis is also placed on information literacy for all students.

(b) Qualified library professionals, librarians, and support personnel in numbers sufficient to serve the needs of students and faculty shall staff the institution's library. Every institution, regardless of enrollment or number of academic offerings, shall provide access to at least one qualified library professional with the exception of institutions whose library collection is primarily in a language or languages other than English. Institutions whose collection is primarily in a language or languages other than English shall provide access to a qualified library professional, a librarian, or an individual qualified by way of disciplinary expertise (for example, an earned doctorate, extensive study in the discipline, demonstrated scholarly production, etc.). Each curricular area of the institution should have a library liaison assigned who serves as that department or program's connection to library and research services. [There shall be an annual acquisition of books, journals, and other library materials, including software; appropriate systems for computerized access to other libraries' collections and to materials such as databases; and evidence of effective use of library resources by students and faculty.]

(c) (No change.)

(d) An institution shall demonstrate the development and maintenance of a collection that reflects and supports the curriculum. An institution should compile acquisition and classification data, documenting collection strengths and weaknesses, and have in place a plan to maintain strengths and remedy weaknesses through a combination of physical, virtual, and consortia materials. Institutions are advised to consult the Association of College and Research Libraries "RCL: Resources for College Libraries" or other recognized sources for core collection development.

(e) There shall be a program for continuous acquisition of materials including books, journals, databases, and other instructional materials.

(f) The institution shall catalog and maintain all library holdings appropriately, including providing a protective environment for its physical library material that adequately protects the collection from deterioration and damage.

(g) The institution shall provide clear and consistent methods for on-campus and remote access to electronic resources, and there shall be communication of that information to students in a manner to minimize barriers to usage. To the extent possible at individual institutions, there should be a consistent method for ensuring that electronic resources are archived so that access is possible for virtual library content over time.

(h) The institution shall document evidence of library education programming that encompasses both physical and virtual collections, and the existence of a plan to assess and document effective use of library resources by students and faculty.

(i) An institution should utilize library representatives in the curriculum development process to inform the administration of the library's ability to offer adequate support for materials and library education.

(j) An institution may enter into contract with another library or libraries for the provision of collections and services, physical or virtual. Institutions shall demonstrate that the collections are appropriate for the curriculum of the institution, that students have convenient access to contracted library services, that there is adequate library instruction provided to students to use effectively the services of the contracted library, and that there are qualified library professionals or librarians available to assist students. The institution shall retain full responsibility for adequacy of resources available to students. Institutions are encouraged to participate in appropriate consortia that allow them to expand and more effectively deliver information resources and services.

(k) An institution shall have in place a plan that articulates how students will obtain information literacy skills as they progress through the curriculum. The plan shall identify outcomes for information literacy skill development, and how those outcomes are measured and assessed. Institutions are encouraged to use a combination of assessment methods to include formal testing, development of student portfolios, examination of research papers bibliographies, and/or other means. Institutions may use either a compartmentalized, or distributed, method of library education, or some combination that meets the needs of the institution. An institution shall provide evidence of faculty and administrator involvement in the development, implementation and operationalization of the information literacy plan. The institution has the responsibility, through its library or through other appropriate means, to make the information literacy plan available to the learning community. Within three years of initial licensure, an institution shall document how students are achieving information literacy outcomes.

#### **9A:1-1.10 Students and student services**

(a)-(c) (No change.)

(d) The institution shall maintain transcripts for all students and shall provide to all students who request them transcripts showing dates of attendance and academic

performance. [A licensed institution that ceases operations shall make adequate provision through the Commission for permanent deposit of and access to student transcripts.]

**9A:1-1.12 Official publications**

(a) (No change.)

(b) In particular, the institution's official catalog sets forth the responsibilities of both the student and the institution. As the nature of these responsibilities is subject to frequent change, official catalogs shall be printed or electronically updated at intervals sufficient to ensure currency of information and in quantities sufficient to supply interested persons.

(c) (No change.)

(d) Each institution shall file annually with the Commission [two copies] a copy of its official [catalogue9s0] catalog(s), or if the institution does not publish a paper copy of its catalog(s), an electronic copy or an accurate web address for access to the catalog.

**SUBCHAPTER 2. DEGREE STANDARDS AND PROGRAMMATIC MISSION**

**9A:1-2.1 General program standards**

(a)-(b) (No change.)

(c) A semester credit hour shall not be counted on an hour-for-hour basis for library, independent-study, laboratory, or physical education activities. No more than one semester credit hour shall be granted for an experience compressed into one week's time or less unless prior approval is obtained from the Commission in consultation with the Presidents' Council. A semester credit hour is not required to be counted on an hour-for-hour basis for distance learning or blended (or hybrid) learning.

(d)-(e) (No change.)

(f) With the exception of Middle States-accredited institutions whose educational delivery model does not include the direct employment of full-time faculty, at least 40 percent of the semester credit hours in an academic year shall be taught by full-time faculty. In calculating compliance with this provision, institutions may exclude semester credit hours (such as certain remedial courses) that qualify for institutional credit but do not qualify for credit toward a degree, and may exclude semester credit hours in practicum courses (such as clinical rotations), extramural cooperative education, and laboratory demonstration sessions. Institutions may calculate their compliance with this provision utilizing a three-year moving average.

**9A:1-2.5 Graduate education**

(a)-(b) (No change.)

(c) Beyond the needs of the undergraduate college, a graduate school shall have, for each program, a variety and depth of specialized materials available on the campus and through electronic means. For example, the library that supports a graduate program shall

provide an adequate and current base for research activities. The library should provide books and other materials, both in the fields of instruction and research and in related areas, to serve as background material and to support special investigation in much greater depth. A library in support of a graduate program also shall provide access to a qualified library professional to provide consultation, research expertise, and support for faculty in curriculum matters.

(d)-(e) (No change.)

#### **9A:1-2.8 Doctoral degree programs**

(a)-(e) (No change.)

(f) For each doctoral program, an institution shall demonstrate that:

1.-2. (No change.)

3. Its faculty is recognized beyond the bounds of the institution as possessing professional qualifications and research or scholarly achievements sufficient to support the program;

4. (No change.)

5. It has committed the faculty time necessary for instruction, advisement, thesis supervision and research guidance; and

6. (No change.)

### **SUBCHAPTER 4. PROPRIETARY INSTITUTIONS**

#### **9A:1-4.4 Minimum library requirements**

(a)-(b) (No change.)

(c) The library shall have qualified library professional(s), librarian(s), and support personnel in numbers sufficient to serve the needs of students and faculty.

(d) Proprietary institutions are held to the standards in N.J.A.C. 9A:1-1.9 .

### **SUBCHAPTER 5. OUT-OF-STATE INSTITUTIONS**

#### **9A:1-5.1 Licensure required**

(a)-(d) (No change.)

(e) Out-of-State institutions that offer credit-bearing courses, but not a degree program, including degree completion programs, shall be licensed initially for a period of [two] one to three years. Relicensure shall be for a period of three years. However, those that meet the following criteria may be relicensed for a period of up to five years.

1. -3. (No change.)

(f)-(i) (No change.)

**9A:1-5.2 Petitions from institutions**

- (a) (No change.)
- (b) The petition shall contain:

1.-2. (No change.)

3. The institution's financial statements and management letter(s) (if issued) (prepared by independent auditors) for each of the last three years;

4.-7. (No change.)

**SUBCHAPTER 6. OFF-CAMPUS OFFERINGS**

**9A:1-6.2 Branch campuses**

- (a) (No change.)

(b) The request shall include also evidence that the proposed courses/programs at the branch campus are at least equivalent in quality to comparable courses/programs on the main campus and evidence that the institution has provided for effective monitoring and controls to maintain quality. The request shall include evidence of the dedication of sufficient resources to implement and maintain the branch campus without eroding the quality of ongoing programs and operations in the rest of the institution.

(c) The request shall provide information on the standards in N.J.A.C. 9A:1-1.5 through 1.12, with special attention to evidence on the following: the classroom, laboratory, computing, and library facilities are adequate; the provisions for administration, support staff, and counseling are sufficient; and the qualifications of faculty [, a suitable ratio of whom should be full-time employees of the institution,] are appropriate. The proportion of courses taught by full-time faculty at a branch campus should be the same as on the main campus.

- (d)-(g) (No change.)