

Memorandum of Understanding^{*}

between

the Puerto Rico Council on Higher Education (PRCHE)

and

the Middle States Commission on Higher Education (MSCHE)

December 2003

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Introduction

Background

In December 1, 1995, the parties to this agreement, the Puerto Rico Council on Higher education (hereinafter referred as PRCHE) and the Middle States Commission on Higher Education (hereinafter referred as MSCHE), engaged in an innovative way to review institutions of higher learning in Puerto Rico. A Memorandum of Understanding was designed to “further the interaction of the two entities and to reduce the duplication of efforts in the review and evaluation of accredited public and private colleges and universities in Puerto Rico.”

While ahead of an emerging trend in the quality assurance arena, this collaborative agreement also represented a clear commitment of MSCHE as a regional accrediting body, and the PRCHE as a state licensing agency, to work collaboratively toward a more efficient and effective review of institutions of higher education (IHE’s) in Puerto Rico.

The 2002 *Handbook for Collaborative Reviews*, published by MSCHE, reaffirms the purposes of such a cooperative arrangement: eliminating duplicative procedures...,enabling institutions to improve their planning processes by integrating the various perspectives represented by different reviewing entities in a single coordinated process, reducing financial costs...,simplifying required data collection and analysis, and integrating self-study processes... ,among others.

* Update of December 1, 1995 MOU

Normative context

The Memorandum is consistent with PR Public Law No. 17, June 16, 1993, which mandates that all public and private institutions of higher education obtain a license from the PRCHE to operate in Puerto Rico. In addition, Article 8 of Law No. 17 enables the PRCHE to design alternate or supplementary evaluation mechanisms that, upon the request of an IHE, facilitate further the evaluation and review process.

Specifically, Article 8 provides that “in the performance of its licensing and accreditation duties and taking into consideration the opinion of the institutions that will be evaluated, the Council may enter into agreements with national, regional, and professional accrediting entities, for the purpose of: (1) validating the accreditation of such entities as equivalent to the renewal license; (2) using the findings and conclusions of such entities for evaluative purposes; and (3) arranging joint evaluation visits.”

During the evaluation of a petition for a license, the PRCHE shall determine if the IHE satisfies the minimum requirements that guarantee adequate offerings, program continuity, teaching quality and continuity, health and safety protections, and the compliance of the institution’s commitments to its students. A license granted by the PRCHE must be renewed every five years. Regulatory provisions to guide the review of an IHE’s petition for license renewal by means of an evaluation in collaboration with another review entity are established in PRCHE’s 1997 *Regulations Governing the Issuance of Licenses to Institutions of Higher Education Operating in Puerto Rico*, Chapter IX.

Likewise, the Memorandum is consistent with MSCHE *Guidelines: Working Relations between State Agencies and the Commission on Higher Education of the Middle States Association of Colleges and Schools* (November 2002). This policy statement provides that the Commission work with states government agencies with the expectation that cooperation will facilitate improvement in higher education, protect the integrity of each institution, and diminish or eliminate unnecessary or duplicative reporting, planning, or evaluation. It also provides that, by prior arrangement with the institution and the Commission office, a state representative can pursue a separate agenda in conjunction with the MSCHE evaluation. As a consequence, in addition to the agreement to work collaboratively when voluntarily requested by an IHE, MSCHE might also invite PRCHE participation on institutional reviews as a state representative.

Characteristics of Excellence in Higher Education: Eligibility Requirements and Standards for Accreditation (2002) governs the MSCHE and its member institutions, as it is the primary statement of standards for the Middle States region. *Characteristics* explains that “accreditation is the means of self regulation and peer review adopted by the educational community...intended to strengthen and sustain the quality and the integrity of higher education, making it worthy of public confidence and minimizing the extent of external control.

MSCHE accreditation is an expression of confidence in an institution's mission and goals, its performance, and its resources..., and attests to the judgment of the Commission...that an institution has a mission appropriate to higher education; it is guided by well defined and appropriate goals; has established conditions and procedure to realize its mission and goals; assesses institutional effectiveness and student learning outcomes, and uses the results for improvement; accomplishes its mission and goals substantially; is so organized, staffed and supported that it can be expected to continue accomplishing its mission and goals; and meets the eligibility requirements and standards of the MSCHE." Furthermore, accreditation follows up a period of candidacy lasting at least five years; institutions are reviewed periodically through either on-site evaluations or other reports. Accreditation is continued only as a result of periodic reviews and evaluations through assessments of institutional achievements.

Prior experiences

In 1995, nineteen institutions of higher education operating with PRCHE's Renewal License were also accredited by MSCHE. At present eight more are in the accreditation candidacy process. During the first five year period of the MOU, following the voluntary requests from IHEs in Puerto Rico, seven joint visits for renewal of license and reaccreditation were conducted. Also, five petitions for validations of MSCHE accreditation were reviewed by the PRCHE. This includes both single units and multi-campus institutions. There are several joint visits and validation petitions already in process by institutions for the coming year. As the results of a recent assessment of the process reveal, there is confidence and acceptance of the collaborative evaluation process among members of the higher education community in Puerto Rico.

It is within this context that the Memorandum of Understanding between both entities is being reaffirmed, tailored to the unique circumstances of higher education in Puerto Rico and its institutions, while reassuring the integrity of the standards, policies, procedures and operational guidelines of the PRCHE and the MSCHE respectively. Because of the nature of a collaborative process, slight deviations in ordinary processes are expected and will be handled without altering substantively the respective roles and responsibilities of both entities.

Scope of Collaboration

The decision to pursue a collaborative review rests with the institution. Therefore, it is the institution's responsibility to contact each of the organizations that the institution wishes to have participate in the collaboration.

The collaborative review process usually will apply to a) institutions that have selected the basic comprehensive model or comprehensive model with special emphasis and b) accredited institutions rather than those seeking candidacy for accreditation or initial accreditation, because it is in the best interest of the institution to focus all energies on meeting/addressing the standards for initial accreditation rather than focusing on dual processes.

However, candidate institutions and institutions utilizing the Selected Topics model may participate in collaborative reviews if the IHE and the participating organizations consent.

In consideration of the foregoing, the following is agreed by both parties to this Memorandum of Understanding.

The PRCHE and the MSCHE jointly agree to:

1. Cooperate fully in the matter of reducing duplication of efforts in the review and evaluation for licensure and accreditation of those institutions recognized by PRCHE and accredited by MSCHE. This cooperation will include the joint identification of a staff liaison person from each agency to work with each institution and periodic meetings of the staff and/or executive committees of PRCHE and MSCHE;
2. Make every effort to adjust evaluation procedures and protocols, and to articulate schedules for licensure and accreditation purposes necessary to enable collaborative reviews;
3. Continue discussions on ways to collaborate at other levels beyond the decennial review process including the Periodic Review Report process, special Commission-directed visits, Follow-up Reports, Substantive Change, etc.
4. Keep each other fully informed of institutional or agency-related developments without compromising confidentiality;
5. Make every effort to ensure that the accredited public and private colleges and universities in Puerto Rico:
 - a. Cooperate in keeping MSCHE and PRCHE informed of developments that might affect their accredited or licensed status
 - b. Cooperate fully in providing MSCHE and PRCHE with requested reports and other documentation
 - c. Actively participate in the accreditation and licensing process, including making suggestions for improvement in the recognition protocols;
6. Share information, within the framework of existing policies and procedures, pertinent to an evaluation, such as the scheduling of visits, appointments of review team members, final determinations taken by each entity, interim status, final results of appellate procedures in cases jointly reviewed, and other administrative matters;
7. Coordinate the preparation of agendas for the conduct of visits requested by the institution, including the preparation of self-studies and other reports, preliminary visits by team chairs, evaluation team visits, follow-up visits, staff visits, and others;

8. Work collaboratively and in consultation with the evaluated institution to: develop evaluation teams; assure that the teams will have the knowledge and experience needed to meet the licensing and accreditation goals and objectives; and provide appropriate training and instructions about the nature of their tasks and expected results as appropriate;
9. Design and conduct workshops, as appropriate, with the purpose of providing team chairs, evaluators, and institutions with the necessary tools to effectively execute a collaborative review process while maximizing the utility of the process for the institution;
10. Cooperate jointly with institutions being evaluated in the self-study preparation process, including performing joint self-study preparation visits, discussion of self-study formats and reporting parameters required by both entities;
11. Coordinate, in conjunction with the evaluated institution's representative, preliminary visits by team chairs from both entities and make every effort to facilitate effective communications amongst team chairs and amongst appointed team members;
12. In accordance with Law Num. 17, 1993, Article 8 and following applicable regulations, PRCHE agrees to validate, upon request from an accredited IHE, the institutional self-study and MSCHE accreditation findings and determinations for licensure purposes. While considering a request for validation from an IHE, and when feasible, MSCHE will allow PRCHE representatives to participate in the self-study preparation process, including the self-study staff visit, chair's preliminary visit, and the team visit. The main purpose of said participation is to provide assistance and advice to the IHE seeking a validation of the self-study and acquiring a better understanding of the MSCHE team findings for future consideration of the validation petition;
13. Continuously assess the Memorandum of Understanding and its intended processes;
14. Provide professional development opportunities to PRCHE/MSCHE staff such as workshops, symposia, conferences, etc., as appropriate and feasible;
15. Directly reimburse allowable expenses to those members of review teams, or staff, designated to serve on behalf of PRCHE and MSCHE, respectively; and
16. Share with each other complimentary copies of all official publications and policies related to evaluations of institutions, in a manner consistent with applicable administrative and communications practices.

Effective Date of this Agreement

This agreement is a reaffirmation of the Memorandum of Understanding entered into in December 1995 and will continue to be in effect immediately after its signature by the officials of the Puerto Rico Council on Higher Education (PRCHE) and the Middle States Commission on Higher Education (MSCHE).

Modifications or termination

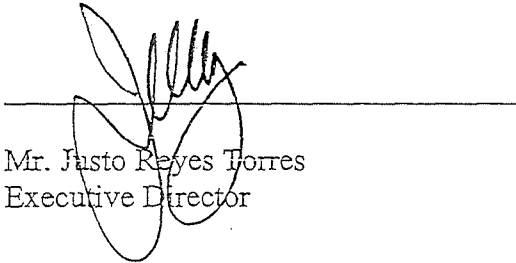
Modifications to this Memorandum of Understanding will require mutual consent by PRCHE and MSCHE, after consultation with the accredited institutions affected, and may be terminated after taking into consideration the opinion of said institutions.

Signed in December, the eighth day, two thousand and three.

Puerto Rico Council on Higher Education

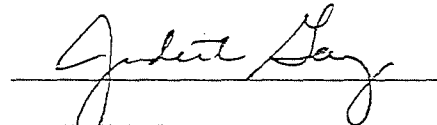


Dr. Ramon A. Cruz
Chairperson

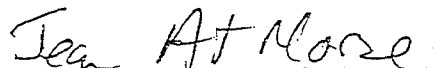


Mr. Justo Reyes Torres
Executive Director

Middle States
Commission on Higher Education



Dr. Judith Gay
Chairperson



Ms. Jean Avnet Morse
Executive Director

Addenda:

- Checklist for MSCHE/PRCHE Collaborative Evaluations (December 2003)
- Reference Guide for an Institutional Evaluation Process Agreement (December 2003)