

1. Possesses financial resources sufficient to realize its mission over an extended period of time;

2. Has a long-range financial plan that includes a program for securing gifts, grants, and other appropriate income;

3. Plans its expenditures by budgeting available resources for specific institutional purposes; and

4. Maintains adequate financial records that are audited annually by an independent certified public accountant in accordance with generally accepted auditing standards promulgated by the American Institute of Certified Public Accountants for colleges and universities.

(c) Each licensed institution shall furnish annually to the Commission a copy of its audited financial statement on or before December 31 of each year.

(d) Each licensed institution also shall carry insurance or provide for self-insurance to maintain the solvency of the institution in case of loss by fire or other causes, to protect the institution in instances of personal and public liability, and to ensure the continuity of the institution.

#### 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) Each institution should periodically evaluate faculty performance. 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 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). 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 associate degree shall have at least a master's degree in the field in which they are teaching.

(d) Full-time faculty appointed to any rank above instructor at baccalaureate degree-granting institutions shall have earned the doctorate or an equivalent qualification in the field in which they are appointed. A significant number of

all faculty should have the doctorate or another appropriate terminal degree.

(e) Faculty teaching in graduate programs shall hold appropriate terminal degrees. They shall be productive contributors to the field of their specialties. 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 faculty shall possess the same qualifications as full-time faculty or compensating preparation, as the institution determines.

(g) Regardless of the specific nature of an academic appointment, be it initial, multi-year, or permanent, the principle of academic freedom shall apply to all 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. Freedom in research and publication where these activities do not interfere with adequate performance of academic duties;

2. Freedom in the classroom to discuss controversial issues pertinent to the discipline; and

3. Retention of all rights as a citizen to free speech and publication. Such rights are not, as such, subject to institutional censorship or discipline.

#### 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.

(b) Qualified professionals and support personnel in numbers sufficient to serve the needs of students and faculty shall staff the institution's library. 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 data bases; and evidence of effective use of library resources by students and faculty.

(c) An associate degree-granting institution with a library of fewer than 20,000 titles or a baccalaureate degree-granting institution with a library of fewer than 50,000 titles shall justify the adequacy of the size of its holdings.

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

(a) For any degree-granting institution in New Jersey, policies and services related to students are of paramount

importance. Such policies and services normally encompass a number of critical institutional areas, including admissions, counseling, financial aid, registration, placement, remedial services, and student-life programs.

(b) The institution shall have a clearly defined admissions policy appropriate to its mission and shall admit students whose educational interests and abilities qualify them to pursue a program offered by the institution.

(c) The institution shall provide adequate student support, financial aid services, and facilities to help students succeed and shall maintain accurate records of each student's academic progress.

(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:1-1.11 Physical facilities

(a) Physical facilities shall be adequate for an institution to fulfill its mission. The institution's facilities provide the context in which teaching and learning take place; it is, therefore, critical that this setting be maximally conducive to fostering productive scholarship. Such facilities generally include, but are not limited to, instructional buildings, laboratories, residence halls, student activity centers, recreational/athletic centers, administrative offices, library/learning resource centers, computing centers, and support service centers.

(b) The institution shall ensure that the physical facilities are safely maintained and are sufficient in quality, size, and number to accommodate students, faculty, and staff; it shall provide adequately equipped laboratories as required for effective instruction and learning.

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

(a) As one medium through which an institution conveys its sense of mission, character, goals, and objectives, official publications reflect the institution's integrity, commitment, and reputation. Consequently, all information released by the institution shall be true and accurate.

(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 at intervals sufficient to ensure currency of information and in quantities sufficient to supply interested persons.

(c) Official catalogs shall include at least the following information:

1. A statement of institutional mission;

2. Statements of institutional and programmatic accreditation;

3. Lists of faculty and administrative officers, including their earned degrees;

4. Complete curricular information, including course descriptions and the grading system;

5. Requirements for admission, transfer, and graduation;

6. Policies for awarding degree credit and policies on academic progress, academic standing, and withdrawal;

7. Descriptions of facilities and of available student support services;

8. Student costs, as well as refund and financial aid policies;

9. An academic calendar;

10. A list of members of the governing board; and

11. A description of rules and regulations regarding students if not described in other publications available to students.

(d) Each institution shall file annually with the Commission two copies of its official catalogue(s).

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## SUBCHAPTER 2. DEGREE STANDARDS AND PROGRAMMATIC MISSION

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

(a) An institution's educational programs are the most tangible manifestation of its mission. In essence, the overall curriculum shall reflect and support the mission of the institution.

(b) The regular academic year, regardless of organization, should fall within a 10-month period and should include at least 30 weeks, or the equivalent in duration, of regularly scheduled student-faculty instructional activity, excluding final examination periods and holiday and summer sessions.

(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 Presidents' Council.

(d) Credit courses offered by a college in conjunction with or under contract with a noncollegiate organization shall meet the same requirements the college applies to its own courses with respect to quality, course content, class attendance and participation, student evaluation, etc. The standards presented at N.J.A.C. 9A:1-6.3, dealing with off-campus sites at which credit courses are offered by a college in conjunction with or under contract with a noncollegiate organization, shall apply to such courses offered at the principal campus.

6. Appropriately qualified students, faculty, and administrators;

7. The quality of library holdings, facilities, and equipment; and

8. Evidence of strength compared with similar programs in the region and State.

(b) Institutions wishing to change their programmatic mission shall specify the scope of the proposed change, including long-range plans for mounting new degree programs that exceed the level of academic degrees currently authorized for the institution. Requests to change an institution's programmatic mission shall be evaluated based on the following criteria:

1. The objectives of the proposed mission change;

2. The relationship of the proposed mission change to the current institutional mission and the Statewide plan for higher education;

3. Demonstration of need for the mission change, including present and projected student demand and demand for graduates;

4. The effect of the proposed mission change on existing programs at other institutions;

5. The dedication of sufficient resources to implement and maintain the proposed mission change without eroding the quality of ongoing programs;

6. Appropriately qualified students, faculty, and administrators;

7. The quality of library holdings, facilities, and equipment; and

8. Evidence of strength compared with similar institutions in the region and State.

(b) Within an environment that emphasizes research, as well as the teaching mission, in curricula and in the allocation of resources for faculty and facilities, a research university offers graduate programs that lead to the Ph.D. degree. Its criteria for promotion and tenure place relatively heavier emphasis on a faculty member's record of research publications in refereed journals and published books. Its faculty generates a relatively higher level of Federal research funding. Its faculty members tend to integrate what they have learned from their own research into the material presented in undergraduate courses, and they routinely expect each graduate student to initiate or participate in a substantial research program. A research university clearly meets or exceeds the qualitative criteria stated in the rules on doctoral degree programs (N.J.A.C. 9A:1-2.8).

(c) Within an environment that emphasizes the teaching mission in curricula and in the allocation of resources for faculty and facilities, a comprehensive university offers graduate programs that lead to the master's degree in a variety of academic disciplines and professional fields; it also may offer a limited number of professional doctoral degrees. A comprehensive university's doctoral offerings clearly meet or exceed the criteria for doctoral degree programs (N.J.A.C. 9A:1-2.8). Its criteria for promotion and tenure place relatively heavier emphasis on a faculty member's record of excellence in teaching. While traditional forms of research are encouraged, the scholarship of its faculty includes more integrative and bibliographic research, often with a focus on pedagogy and practical classroom application.

#### 9A:1-3.2 Organization

(a) A university clearly identifies graduate studies and programs as distinct elements in its organization. Characteristically, it selects graduate and professional students who show evidence of superior achievement in undergraduate studies.

(b) A university recruits faculty for graduate or professional programs whose competence is known beyond the institution. A significant number of the faculty in each graduate program are associated with the institution full time, have terminal degrees appropriate to their disciplines or records of substantial and superior professional achievements, and remain abreast of their respective fields. The faculty, including representation from the departments offering graduate programs, participates in the initiation, development, and approval of curricula.

(c) A university provides an appropriate and adequate administrative staff whose primary responsibility is the administration of graduate and professional programs.

#### 9A:1-3.3 Resources

A university possesses the financial ability to support graduate and professional programs, and its facilities and equipment reflect the more sophisticated level of work required in both. Laboratories and library support permit

### SUBCHAPTER 3. CRITERIA FOR UNIVERSITY STATUS

#### 9A:1-3.1 Programs

(a) In an atmosphere of freedom of inquiry and expression, a university provides undergraduate studies leading to the baccalaureate in a broad range of academic disciplines, as well as graduate studies leading to advanced degrees in at least three academic and/or professional fields. A university also offers an array of graduate studies related to the fields in which it offers advanced degrees. Such offerings provide students elective opportunities and a selection of support studies that may be useful although not prescribed for a particular graduate degree program. A university faculty is actively engaged in research or other scholarly activities. The institution promotes linkages to the wider community through programs of outreach and public service.

specialized study in depth in the fields of graduate study and professional study offered, as well as in supporting fields. An adequate financial base is provided to support the appropriate independent research activity of faculty and students.

#### 9A:1-3.4 Accreditation

The Commission on Higher Education of the Middle States Association of Colleges and Schools accredits universities.

#### 9A:1-3.5 Eligibility for university status and use of "university" as part of an institution's name

(a) Nonprofit educational institutions that are incorporated and located in New Jersey; licensed by the Commission; and listed as "research universities," "doctoral universities," or "master's (comprehensive) universities and colleges" in the Carnegie Foundation for the Advancement of Teaching's *Classification of Institutions of Higher Education* and that believe they meet all of the requirements stipulated in this subchapter are, with the concurrence of their governing boards, eligible to apply to the Commission for university status. Educational institutions dedicated primarily to the education or training of ministers, priests, rabbis or other professional persons in the field of religion are not eligible to apply for university status.

(b) When an institution's governing body decides to seek university status, it shall file with the Commission a petition-of-intent seeking authority to do so. The petitioning institution shall develop a fully documented proposal and, with the concurrence of the Commission, select two consultants to review the proposal. The two consultants shall be totally independent of all higher education institutions in New Jersey and shall be recognized authorities on graduate education. The consultants shall prepare a written report of their findings, which the college shall submit to the Commission. The Commission shall consider both the report and the proposal in deciding on the college's application for university status.

(c) The proposal shall demonstrate the institution's eligibility for designation as a university and shall include a history of having met the criteria defined in this subchapter for a period of at least five years. Alternatively, the petitioning institution may indicate, through a combination of retrospective and prospective data, intent to meet the criteria for a total period of five years. The Commission shall consider such institutions to be in a period of candidacy for university designation. In no case shall formal university designation be granted until an institution has met the minimum criteria for at least five years.

(d) University status and the initial use of the term "university" in the institution's title require approval by the Commission.

## SUBCHAPTER 4. PROPRIETARY INSTITUTIONS

### 9A:1-4.1 General provisions

(a) Proprietary institutions of higher education in New Jersey may apply for licensure to award academic degrees, subject to conformance with the rules and standards for such licensure as contained in this chapter.

(b) The rules in this subchapter are designed to recognize the distinctive character of proprietary institutions and for these institutions take precedence over any rules and standards with which they may be in conflict.

### 9A:1-4.2 Reassessment of licensure status

In the event of a change in the ownership of a proprietary institution, the Commission shall reassess the institution's licensure status between six months and one year after the change.

### 9A:1-4.3 Duration of license

(a) Any license to operate and to grant a degree shall be for a specific period, not to exceed five years, as the Commission determines, unless the institution is accredited as a discrete entity by the Middle States Association.

(b) At least six months before the expiration of the license, to continue to offer credit-bearing courses in New Jersey, the institution shall petition the Commission for relicensure, unless the institution is accredited as a discrete entity by the Middle States Association.

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

(a) A proprietary institution offering a degree shall have a library collection of sufficient size and composition to meet program objectives and to support high-quality instruction and, where appropriate, research.

(b) The library collection shall be kept up-to-date.

### 9A:1-4.5 Governing board

(a) The governing board shall have a portion of its membership drawn from the general public and/or the academic community and be of sufficient size to provide for appropriate committee membership.

(b) As is the case in nonprofit institutions of higher education, public members should be appointed for specified terms of office.

### 9A:1-4.6 Faculty teaching loads

(a) Undergraduate faculty shall normally have teaching loads not to exceed the equivalent of 15 semester credit hours; graduate faculty shall normally have teaching loads not to exceed the equivalent of nine semester credit hours.