



TEACH-OUT PLANS AND AGREEMENTS (For Postsecondary Institutions)

Section 1: Definitions

- a. **Teach-Out Plan:** A teach-out plan (as specified in federal regulations) is a written plan developed by an institution that provides for the equitable treatment of students to complete their education
- b. **Teach-Out Agreement:** A teach-out agreement (as specified in federal regulations) is a written agreement between the institution and another institution(s) that is/are accredited by an accrediting agency recognized nationally by the U.S. Secretary of Education that provides for the equitable treatment of students the institution's students.

Section 2: Requirement to Submit a Teach-Out Plan

- a. Institutions are required to submit a Teach-Out Plan for approval by the Commission upon the occurrence of one of more of the following specific events:
 - 1) For a nonprofit or proprietary institution, the Secretary notifies the agency of a determination by the institution's independent auditor expressing doubt about the institution's ability to operate as a going concern or indicating an adverse opinion or a finding of material weakness related to financial stability.
 - 2) The agency acts to place the institution on probation or equivalent status.
 - 3) The Secretary notifies the agency that the institution is participating in title IV, HEA programs under a provisional program participation agreement and the Secretary has required a teach-out plan as a condition of participation.
- b. Institutions are required to submit a teach-out plan and, if practicable, teach-out agreements for approval upon the occurrence of any of the following events:
 - 1) The Secretary notifies the agency that it has placed the institution on the reimbursement payment method or the heightened cash monitoring payment method requiring the Secretary's review of the institution's supporting documentation.
 - 2) The Secretary notifies the agency that the Secretary has initiated an emergency action against an institution or an action to limit, suspend, or terminate an institution participating in any title IV, HEA program.
 - 3) The agency acts to withdraw, terminate, or suspend the accreditation of the institution.
 - 4) The institution notifies the agency that it intends to cease operations entirely or close a location that provides one hundred percent of at least one program, including if the location is being moved and is considered by the Secretary to be a closed school.
 - 5) A State licensing or authorizing agency notifies the agency that an institution's license or legal authorization to provide an educational program has been or will be revoked.
- c. Submission of a Request for Approval of a Substantive Change (Teach-Out Plan). The Request for Approval of a Substantive Change (Teach-Out Plan) must be submitted to the Commission for Approval by the earlier of the date included in the notice of limitation, suspension, and/or termination or at least six months prior to the event that necessitates submitting a Request for Approval of a Substantive Change (Teach-Out Plan).

Section 3: Content and Evaluation of a Teach-Out Plan. A Teach-Out Plan must include the following elements. The Commission will use the same elements to evaluate a Teach-Out Plan:

- a. A Plan to Teach-Out the Institution's Own Students. If the institution intends to teach-out its own students, it must provide a detailed description of how the institution will provide for the equitable treatment of its students and meet the educational needs of all currently enrolled students that were in effect prior to the limitation, suspension, termination, and/or closure. The criteria for the content and evaluation of a Teach-Out Plan include:
 - 1) Statement of the reason for the requirement to submit a Request for Approval of a Teach-Out Plan;
 - 2) The postsecondary, non-degree granting career and technical programs offered by the institution that are affected by the limitation, suspension, termination, and/or closure;
 - 3) The CIP Code for each postsecondary, non-degree granting career and technical programs offered by the institution that are affected by the limitation, suspension, termination, and/or closure;
 - 4) The number of students currently enrolled in each postsecondary, non-degree granting career and technical programs offered by the institution that are affected by the limitation, suspension, termination, and/or closure;
 - 5) Evidence that the institution is in compliance with a) the Middle States Commission on Secondary Schools' Standards for Accreditation for Career and Technical Institutions and b) the policies of the Commission on Secondary Schools;
 - 6) Evidence that the institution is in compliance with the Standards for Accreditation and policies of and any other agency by which the institution/program is accredited;
 - 7) Evidence that the institution has the experience, resources, support systems, and capacity to provide Teach-Out for the affected program(s) of acceptable quality and reasonably similar in content, structure, and scheduling to that provided by the institution that is ceasing operations either entirely or at one of its locations;
 - 8) Evidence that the institution has on its staff or intends to employ professionals with the qualifications and capacity to provide Teach-Out services.
 - 9) The plan for providing Teach-Out Services, including—
 - a) How the training and services will be delivered to students so that their education will not be materially disrupted;
 - b) How the obligations to students will be timely met;
 - c) Documents and timelines for how the institution will notify students in the event of a closure;
 - d) Documents and timelines for implementing the Plan;
 - e) Documents and timeline for notifying students of any additional charges related to the Teach-Out;
 - 10) Evidence that the institution has personnel qualified to Provide Teach-Out to students currently enrolled in each programs affected by the limitation, suspension, termination, and/or closure;
 - 11) Attestation by the head of the requesting institution that—
 - a) The institution has the experience, resources, support systems, and capacity to provide Teach-Out for the affected program(s) of acceptable quality and reasonably similar in content, structure, and scheduling to that provided by the institution prior to the event(s) requiring a Teach-Out Plan.
 - b) The information provided in the Request for Approval of a Substantive Change (Teach-Out Plan) is true and accurate.
 - 12) Attestation by the head of the institution's governing body that the information provided in the Request for Approval of a Substantive Change (Teach-Out Plan) is true and accurate.
- b. A Teach-Out Plan to Provide Teach-Out by another Institution. If the institution plans to provide Teach-Out to its students by one or more other institutions, it must provide a detailed description of how the Teach-Out Institution(s) will provide for the equitable treatment of its students and meet the

educational needs of all currently enrolled students that were in effect prior to the limitation, suspension, termination, and/or closure. The criteria for the content and evaluation of a Teach-Out Plan include:

- 1) Statement of the reason(s) for the requirement to submit a Request for Approval of a Teach-Out Plan;
- 2) The postsecondary, non-degree granting career and technical programs offered by the institution that are affected by the limitation, suspension, termination, and/or closure;
- 3) The CIP Code for each postsecondary, non-degree granting career and technical programs offered by the institution that are affected by the limitation, suspension, termination, and/or closure;
- 4) The number of students currently enrolled in each postsecondary, non-degree granting career and technical programs offered by the institution that are affected by the limitation, suspension, termination, and/or closure;
- 5) Evidence that the institution is in compliance with a) the Middle States Commission on Secondary Schools' Standards for Accreditation for Career and Technical Institutions and b) the policies of the Commission on Secondary Schools;
- 6) Evidence that the Teach-Out Institution(s) is in compliance with a) the Middle States Commission on Secondary Schools' Standards for Accreditation for Career and Technical Institutions and/or b) the Standards for Accreditation of any other agency by which the Teach-Out Institution is accredited;
- 7) Evidence that the Teach-Out Institution(s) has the experience, resources, support systems, and capacity to provide Teach-Out for the affected program(s) of acceptable quality and reasonably similar in content, structure, and scheduling to that provided by the institution that is ceasing operations either entirely or at one of its locations;
- 8) Evidence that the Teach-Out Institution(s) has personnel qualified to Provide Teach-Out to students currently enrolled in each programs affected by the limitation, suspension, termination, and/or closure;
- 9) The plan for providing Teach-Out Services, including—
 - a) How the training and services will be delivered to students so that their education will not be materially disrupted;
 - b) How the obligations to students will be timely met;
 - c) Documents and timelines for how the institution will notify students in the event of a closure;
 - d) Documents and timelines for implementing the Plan;
 - e) Documents and timeline for notifying students of any additional charges related to the Teach-Out.
- 10) Attestation by the head of the requesting institution that—
 - a) The Teach-Out Institution(s) has the experience, resources, support systems, and capacity to provide Teach-Out for the affected program(s) of acceptable quality and reasonably similar in content, structure, and scheduling to that provided by the institution prior to the event(s) requiring a Teach-Out Plan.
 - b) The information provided in the Request for Approval of a Substantive Change (Teach-Out Plan) is true and accurate.
- 11) Attestation by the head(s) of the Teach-Out Institution(s) that
 - a) The Teach-Out Institution is in compliance with the Requirements for a Teach-Out Institution as stated in Section 6.3.19.4 of this policy, and
 - b) The information provided in the Request for Approval of a Substantive Change (Teach-Out Plan) is true and accurate.

Section 4: Requirement for a Draft Teach-Out Plan

- a. The Commission on Secondary Schools requires all postsecondary, non-degree granting career and technical institutions that intend to or are using their MSA-CSS accreditation to establish eligibility to

participate in Title IV student loan programs to include a Draft Teach-Out Plan in their Self-Study Document for accreditation/reaccreditation.

- b. The purpose of requiring a Draft Teach-Out Plan is to ensure the institution has thought about and planned for the actions that would be required should one of the events listed above. Having thought about this requirement and having created a Draft Plan will make it easier to add the information required in an actual Teach-Out Plan more quickly and with assurance that the information that would be required is readily accessible and there is a plan for implementing the Teach-Out Plan.

Section 5: Requirements for a Teach-Out Institution. Federal regulation specifies the criteria for a Teach-Out Institution. For the purposes of a Teach-Out Plan and Teach-Out Agreement, it is required to provide information and documentation to demonstrate that an institution that is party to the Teach-Out Agreement complies with the following:

- a. The Teach-Out Institution and the program(s) included in a Teach-Out Agreement are accredited or preaccredited by a nationally recognized accrediting agency.
- b. The Teach-Out Institution can provide for the equitable treatment of students under criteria established by the agency(ies) by which it is accredited;
- c. The Teach-Out Institution has the experience, resources, support systems, similar content and structure of the programs affected, and ability to schedule the students affected by the limitation, suspension, termination, and/or closure;
- d. The Teach-Out Institution can demonstrate that it provides for the equitable treatment of students by ensuring that the institution has the necessary experience, resources, and support services to—
 - 1) Provide an educational program that is of acceptable quality and reasonably similar in content, structure, and scheduling to that provided by the institution that is affected by the limitation, suspension, termination, and/or closure either entirely or at one of its locations;
 - 2) Remain stable, carry out its mission, and meet all obligations to existing students;
 - 3) Provide students access to the program and services without requiring them to move or travel substantial distances;
 - 4) Provide students with information about additional charges, if any;
 - 5) Provide students access to the program and services without requiring them to move or travel substantial distances;
 - 6) Provide students with information about additional charges, if any.
- e. Irrespective of any teach-out plan or signed teach-out agreement, an institution will not be permitted to serve as a teach-out institution under the following conditions:
 - 1) The institution is subject to the conditions in Section 2 requiring a Teach-Out Plan.
 - 2) The institution is under investigation, subject to an action, or being prosecuted for an issue related to academic quality, misrepresentation, fraud, or other severe matters by a law enforcement agency.

Section 6: Requirement for a Teach-Out Agreement. At the time an institution is notified of the requirement to submit a Teach-Out Plan, the Commission may require the institution to enter into one or more Teach-Out Agreements as part of its Teach-Out Plan and to submit the Plan to the Commission for evaluation and approval.

Section 7: Content and Evaluation of a Teach-Out Agreement. A Teach-Out Agreement must include the following elements. The Commission will use the same elements to evaluate a Teach-Out Plan:

- a. Evidence that the Teach-Out Institution(s) is accredited or preaccredited by a nationally recognized accrediting agency;
- b. Evidence that the Teach-Out Institution(s) is in compliance with a) the Middle States Commission on Secondary Schools' Standards for Accreditation for Career and Technical Institutions and b) the policies of the Commission on Secondary Schools, and/or c) the Standards for Accreditation and policies of any other agency by which the institution/program is accredited;

- c. Evidence that Teach-Out Institution(s) have the experience, resources, support systems, and capacity to provide Teach-Out for the affected program(s) of acceptable quality and reasonably similar in content, structure, and scheduling to that provided by the institution that is ceasing operations either entirely or at one of its location;
- d. Evidence that the Teach-Out Institution(s) can provide for the equitable treatment of students as prescribed in the Middle States policies and Standards for Accreditation;
- e. Evidence that the Teach-Out Institution is in compliance with Standards for Accreditation and the policies of the agency(ies) by which it is accredited;
- f. Evidence that the Teach-Out Institution has the experience, resources, support systems, and capacity to provide Teach-Out services for the affected program(s) that are of acceptable quality and reasonably similar in content, structure, and scheduling to that provided by the institution that is the subject of the limitation, suspension, termination, and/or closure;
- g. Evidence that the Teach-Out Institution has is stable and can carry out its mission while meeting all obligations to the Teach-Out Students;
- h. Evidence that the Teach-Out Institution has the necessary experience, resources, and support services to provide students access to the program and services without requiring them to move or travel substantial distances;
- i. Documents and timelines for how the institution will notify students affected by the limitation, suspension, termination, and/or closure of the provisions in the Teach-Out Agreement;
- j. Documentation and timeline for notifying students of any additional charges to the students because of the Teach-Out Agreement;
- k. Attestation by the head of the requesting institution that—
 - 1) The Teach-Out Agreement is in compliance with the requirements in this policy;
 - 2) S/he has determined that that the Teach-Out Institution(s) are in compliance with all the requirements for a Teach-Out Institution included in Section 6.3.15.5 of this policy, and
 - 3) The information provided in the Teach-Out Agreement is true and accurate.
- l. Attestation by the head(s) of the Teach-Out Institution(s) that—
 - 1) The Teach-Out Institution is in compliance with the Requirements for a Teach-Out Institution is Section 6.3.19.5 of this policy; and
 - 2) The information provided in the Teach-Out Agreement is true and accurate.
- j. Institutions that are closing must include in their Teach-Out Agreement:
 - 1) A complete list of students currently enrolled in each program at the institution and the program requirements each student has completed;
 - 2) A plan to provide all potentially eligible students with information about how to obtain a closed school discharge and, if applicable, information on State refund policies;
 - 3) A record retention plan to be provided to all enrolled students that delineates the final disposition of teach-out records (e.g., student transcripts, billing, financial aid records);
 - 4) Information on the number and types of credits the teach-out institution is willing to accept prior to the student's enrollment; and
 - 5) A clear statement to students of the tuition and fees of the educational program and the number and types of credits that will be accepted by the teach-out institution.
- k. Teach-Out Agreements will only be approved if they meet the requirements of 34 CFR 600.2.

Section 8: Notification to Another Accrediting Agency. When the Commission approves a Teach-Out Plan that includes a program that is accredited by another recognized accrediting agency, it shall notify that accrediting agency of its approval.

Section 9: Action upon Closure of an Institution without a Teach-Out Plan and/or Agreement. If an institution accredited by the Commission on Secondary Schools closes without an approved Teach-Out

Plan and/or Teach-Out Agreement, the Commission will work with the U.S. Department of Education and the appropriate State agency, to the extent feasible, to assist students in finding reasonable opportunities to complete their education without additional charges.

Section 10: Record of Teach-Out Institutions and Teach-Out Options. In addition to its transfer of credit policies, institutions must make available to enrolled and prospective students, stakeholders, and the public a list of institutions with which the institution has established an articulation agreement.

The institution must provide copies of all notifications from the institution related to the institution's closure or to teach-out options to ensure the information accurately represents students' ability to transfer credits and may require corrections.