



## **Teach-Out policy**

**PURPOSE:** To provide Ivy College community members with information about the institution's teach-out plans in the event the school cannot fully deliver instruction due to the program's discontinuation, school closure, or as the result of catastrophic events.

**MONITOR:** Chief Operational Officer

**AUTHORIZATION:** CEO

**AUTHORIZATION DATE:** August 2022

**REVIEWED BY:** CEO, Chief Operational Officer, IEP (Compliance Officer)

**REVISION DATE(S):**

**EFFECTIVE DATE:** August 2022

**NEXT REVIEW DATE:** August 2023

**POLICY APPLIES TO:** All community members

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### **INTRODUCTION**

In the event that the school must cease operations, in accordance with Virginia Administrative Code 8VAC40-31-280(C) and TRACS' Policies and Procedure (BP222-BP225), Ivy College will immediately inform the State Council of Higher Education for Virginia (SCHEV) and the TRACS of such changes. Ivy College will notify all enrolled students of the pending closure immediately, describing to each student their financial obligations, their rights to a refund or adjustment and provisions made for assistance toward completion of their academic programs, whether at the closing institution or by contract with another school.

According to the TRACS' Closure of an Institution Policy (SB222-BS225), the school is required to timely submit a written teach-out plan and teach-out agreement to TRACS for review and action under any of the following circumstances:

1. The U.S. Secretary of Education notifies TRACS that the U.S. Secretary of Education has initiated an emergency action against an institution, in accordance with section 487(c)(1)(G) of the HEA, or an action to limit, suspend, or terminate an institution participating in any title IV, HEA program, in accordance with section 487(c)(1)(F) of the HEA, and that a teach-out plan is required.



2. TRACS requires an institution to Show Cause why its accreditation or pre-accreditation should not be terminated.
3. TRACS takes any action against the institution which has the effect of suspending its accreditation or pre-accreditation.
4. The institution notifies TRACS that it intends to cease operations entirely or close a remote instructional site (Teaching Site or Branch Campus).
5. The institution notifies TRACS that it intends to close a program.
6. A State licensing or authorizing agency notifies TRACS that an institution's license or legal authorization to provide an educational program has been or will be terminated.

Teach-Out plans will follow the TRACS' Guidelines for the Teach-Out Plan''

1. The plan must be approved by the institution's governing board.
2. The plan must be detailed and consistent with applicable federal regulations. It must include how the institution will provide for all its instructional, student, financial, faculty, and operational obligations.
3. The plan must provide for the equitable treatment of all students.
  - a. Students are provided, without an increase in tuition or fees, all instruction promised by the institution, prior to its closing or the closure of a remote instructional site, but not delivered to the students because of the closing.
  - b. The proposed teach-out institution is geographically proximate to the closed institution or remote instructional site, is accredited by an accrediting body recognized by the U.S. Secretary of Education, and can demonstrate compatibility of its program structure and scheduling to that of the closed institution.
  - c. Should the plan require students to pay additional charges, those charges must be identified and the institution must provide notice of those charges to the students.
4. The plan must be backed by demonstrated adequate financing by the closing institution. BP224- 2
5. Although the institution does not have to submit a Teach-Out Agreement, it must demonstrate that it has identified other institutions which may enter into such an agreement.
6. The Teach-Out Plan must be submitted to TRACS for approval.

## Teach-out Agreement

A Teach-Out Agreement is a formal written agreement with another institution of higher education which is accredited or pre-accredited by an agency recognized by the U.S. Secretary of Education.

Suppose IVY College enters into a teach-out agreement with another institution. In that case, it must submit the agreement, signed by all parties, to the TRACS, and TRACS will approve a



teach-out agreement only after reviewing the following and concluding that the agreement provides for the equitable treatment of students:

1. A comparison of the courses the students would need to take at the institution which is closing and the equivalent courses at the teach-out institution;
2. A comparison of the requirements the students would need to satisfy at the institution which is closing and what they will be required to satisfy at the teach-out institution;
3. If the institutions are not on the same system, e.g., semester, an explanation of any effect the change would have on students; and
4. Documentation that the teach-out institution has sufficient faculty, facilities, support staff, learning resources, and student support services to support the teach-out.

The Teach-Out Agreement should follow the Guidelines provided the TRACS:

1. Requirements of the institution which is ceasing to operate or is closing a remote instructional site (Teaching Site or Branch Campus).
  - a. The agreement must be approved by the institution's Board.
  - b. The institution must devote sufficient resources to implement the agreement and provide for equitable treatment of all affected students.
2. Requirements of the teach-out institution.
  - a. The agreement must be approved by the institution's Board.
  - b. The institution must demonstrate that it has the necessary experience, resources, and support services to:
    - i. 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 ceasing operations either entirely or at one of its locations; and
    - ii. Remain stable, carry out its mission, and meet all obligations to existing students; and
    - iii. Provide students access to the program and services without requiring them to move or travel substantial distances and that it will provide students with information about additional charges, if any.
3. Required form and content of the agreement.
  - a. The agreement must be detailed.
  - b. The agreement must be consistent with applicable federal regulations.
4. The Teach-Out Agreement must be submitted to TRACS for approval.

## **POLICY**

Ivy College's Teach-Out Policy aims to satisfy the requirements established by TRACS and SCHEV and, more importantly, to protect the interests of students should cessation of operations or closure of at least one academic program occur. Ivy College will make a good faith effort to assist affected students, faculty, administrative and support staff so that they experience minimal disruption in the pursuit of their course of study. Once a decision is taken, Ivy College will engage the option of either developing a teach-out plan or executing a teach-out agreement as described above and will inform affected parties about the causes and consequences of its actions. Students who have not completed their programs will be



advised by faculty or professional counselors regarding suitable options, including transfer to comparable programs. Arrangements will be made to reassign faculty and staff or assist them in locating other employment. In all instances, careful consultation and coordination with affected student constituencies will occur to address their current and future interests in a sensitive and timely fashion.

## **PROCESS**

In the event that the school must cease operations, in accordance with Virginia Administrative Code 8VAC40-31-280(C) and TRACS's Closure of Institution Policies (BP222-BP225), Ivy College will immediately inform the State Council of Higher Education for Virginia (SCHEV) and TRCS. Ivy College will provide SCHEV and TRACS with information concerning teach-out arrangements, the status of any refunds due, provisions for student records maintenance and the status of currently enrolled students.

Ivy College will notify all enrolled students of the pending closure immediately, describing students' financial obligations, their rights to a refund or adjustment and provisions made for assistance toward completion of their academic programs, whether at the closing institution or by contract with another school. Any such agreements must be approved by the TRACS.

## **Catastrophic Events**

If online instruction cannot be fully delivered due to catastrophic events or other uncontrollable situations, every effort will be made to provide instruction for students through alternate delivery methods. If a program is canceled or cannot be delivered, no new students will be accepted into the program, and an above-outlined teach-out plan will be enacted.

## **REFERENCES**

34 CFR Part 602; 20 U.S. Code § 1099(b); Higher Learning Commission Policy for Commission Approval of Institutional Teach-out Arrangements; Virginia Administrative Code 8VAC40-31-280(C); TRACS' Policies and Procedure BP222-BP225.