

Approved Revisions: NASM Handbook 2001–2002

National Association of Schools of Music
November 2002

FINAL VERSION

The revisions contained in this proposal were approved in November 2002 and will be published in the *NASM Handbook 2003–2004*.

NASM Handbook 2001-2002 – page 13

Bylaws

Article I. Membership

Section 4. Special Statuses

Item C. Suspension of Accreditation Status

Amend last sentence of paragraph three as follows:

Failure to move from suspended accreditation status to regular accreditation status within a period not to exceed the earlier of six months or the expiration of the institution's current accreditation period will cause the appropriate accrediting Commission to consider revocation of Membership.

NASM Handbook 2001-2002 – page 16

Bylaws

Article III. Government

Section 3. Board of Directors

Revise Section 3.E as follows:

E. establish written procedures for hearing an appeal of a decision by an NASM Commission if that decision denies or revokes or terminates accredited institutional Membership;

NASM Handbook 2001-2002 – page 27

Code of Ethics: Article V

Add the following between sentences 1 and 2 of the first paragraph:

Students shall be notified of this policy when an institution makes an offer prior to May 1. Institutions allow students to choose without penalty among offers of admission and financial aid until May 1.

Insert the following between paragraphs 1 and 2:

If the student is to be offered admission after May 1 and before August 1 of the year of matriculation with a financial aid award made directly to the student based at least in part on talent, prior to making the offer, the offering institution shall determine from the student whether he or she has accepted an offer of admission with a talent-based financial award from another institution. If so, the offering institution does not offer admission with talent-based financial aid until the music executive of the school the student previously agreed to attend has given approval.

Any offer of admission with a talent-based scholarship made after August 1 of the year of matriculation is considered a transfer under provisions of Article VII of the Code of Ethics.

Add the following as the final paragraph of Article V:

For the purposes of this Code, the music executive is the chief academic officer of the music unit—for example, dean or director of the school of music, chair or head of the department of music, or a person specifically designated by the music executive to fulfill admission and transfer functions.

NASM Handbook 2001-2002 – page 28

Code of Ethics: Article VI

Amend as follows:

Institutional personnel shall not knowingly influence any student to leave another educational institution in which the student is enrolled, registered, or has submitted a tuition or matriculation deposit, especially by encouraging an individual to change schools with an offer of financial aid.

Institutions recognize that students are free to make inquiries about study at any institution at any time. However, if a student begins to make an application for transfer, the institution to which the student applies must inform the student of its institutional obligations under Article VII of the NASM Code of Ethics.

NASM Handbook 2001-2002 – page 37

Rules of Practice and Procedure

Article IV. Association Procedures

Add new Section 6 as follows:

Section 6. Procedures If An Institution Closes. If an institution NASM accredits closes, NASM works with the U.S. Department of Education and the appropriate State agency, to the extent feasible, to ensure that students are given reasonable opportunities to complete their education without additional charge.

This expression of intent to provide assistance does not indicate or constitute a financial or educational obligation on the part of NASM to institutions, students, or their representatives.

Previous Section 6 becomes Section 7.

NASM Handbook 2001-2002 – page 43

Rules of Practice and Procedure

Article VIII. Requests for Reconsideration of Actions by An Accrediting Commission

Section 1. Actions Eligible for Reconsideration

Add the following:

In eligible cases, a Request for Reconsideration is not a precondition for filing an Appeal of An Adverse Decision described in Article IX; a Request for Reconsideration may precede but may not follow an Appeal of An Adverse Decision.

Rules of Practice and Procedure

Article IX. Appeals of Adverse Decisions Concerning Accredited Institutional Membership

Amend entire Article as follows:

Section 1. Definition. An adverse decision shall be defined as a decision of the Commission on Accreditation, the Commission on Community/Junior College Accreditation, or the Commission on Non-Degree-Granting accreditation that denies or revokes or terminates accredited institutional Membership. *(For purposes of this statement, “accredited institutional Membership” includes Associate Membership and Membership, both of which carry accreditation status.)*

Section 2. Procedural Authority. Consistent with Article III, Section 3.E of the Bylaws, the Board of Directors shall adopt written procedures for the Association to consider the appeal of an adverse decision of the Commission on Accreditation. These procedures shall be consistent with and supportive of all sections of Article IX of the Rules of Practice and Procedure.

Section 3. Disclosure and Confidentiality. The appeals process operates under the NASM Rules of Practice and Procedure statement on Disclosure and Confidentiality. NASM considers the appeals process to be confidential and, at all times during the course of the appeal, will maintain complete confidentiality of all documents and information supplied or reviewed during the appeal, as well as the deliberations and decision-making process relating to the appeal or the decision under appeal. However, should a potential or actual appellant publicly disclose a pending or actual appeal or appeal decision, or publicly characterize or make misleading or inaccurate representations about the appeals process, the decision that may be, or is subject to, an appeal, or the appeals decision, whether before, during, or after the appeal, NASM reserves the right to respond immediately and publicly through the appropriate medium or media to correct or clarify such inaccurate or misleading representations or characterizations.

Statements regarding disclosure and confidentiality appearing in the NASM Rules of Practice and Procedure are consistent with NASM’s responsibility under law and regulation to inform various governmental authorities when decisions are reached at the conclusion of accreditation or appeals procedures.

Section 4. Grounds for Appeal. The grounds on which an institution may appeal a decision of an NASM Commission which denies or revokes or terminates accredited institutional Membership shall be (a) that the Commission’s decision was not supported by substantial evidence in the record upon which the decision was based; and/or (b) that the Commission in making its decision departed significantly from its written procedures.

Section 5. Meaning of Appeals Decisions. Decisions on appeals concern only matters outlined in Section 4 (a) and (b) above. After the appeals process is complete, decisions concerning accredited institutional Membership remain the responsibility of the Commission. Decisions on appeals are made only on evidence available at the time of the decision being appealed.

Section 6. Time of Filing an Appeal. An institution wishing to appeal a decision of an NASM Commission shall file with the Executive Director of the Association either in person or by certified mail not later than thirty (30) days following the date of the Commission’s action letter a notice of intent to appeal, which shall be the official action of the governing board of the institution, along with the required filing fee determined as policy by the Board of Directors and published in the written procedures for appeals noted in Article IX, Section 2, of the Rules of Practice and Procedure. The institution shall file with the Executive Director of the Association either in person or by certified mail not later than thirty (30) days following the date of its notice of intent to appeal a written appeal document setting forth evidence and argument in support of its appeal. Failure of an institution to file notice of intent to appeal, the required filing fee, or its appeal document in a timely fashion shall void the appeal.

Section 7. Initial Response. The Executive Director of NASM shall ensure that the institution's appeal document meets all preconditions for review by an appeals committee. Immediately upon receiving an appeal document that meets all preconditions for review, the Executive Director shall forward to the Chair of the Commission whose decision is being appealed a copy of the document and shall acknowledge receipt of the document in writing to the music executive and the chief executive officer of the institution. Within thirty (30) days of receipt of the appeal documents, the Chair of the Commission shall provide a written response to the appeal stating the reason for the decision. The response shall be sent to the Executive Director, who forwards copies to the music executive and the chief executive officer of the institution filing the appeal.

Section 8. Appeals Committee

- A. The Executive Director, with the approval of the President, Vice President, Secretary, and Treasurer, shall appoint the chair and members of an appeals committee comprising three persons, none of whom shall be members of the Commission.
- B. Each person invited to participate in the appeals committee shall be asked to consider whether any conflict of interest arises from service on the committee. Conflict of interest includes, but is not limited to, participating in any way in the process leading to the decision being appealed; coming from the same state as the institution appealing; having any prior or projected alumni, employment, or financial relationship, or having any other prior or projected relationship with the appealing institution that could influence or be construed as influencing the outcome of the appeal. If conflict of interest is found, that person may not serve on the appeals committee. In addition, appeals committee members are subject to NASM policies concerning conflict of interest.
- C. The appeals committee shall receive from the institution making the appeal written materials detailing its appeal and from the Chair of the Commission whose decision is being appealed a written response to the appeal, and will hear in person representatives of the institution and of the Commission who choose to appear.

Section 9. Decision on an Appeal. After following procedures established by the Board of Directors (see Section 2 of this Article, above), the appeals committee shall render a final decision, either to (a) deny the appeal and sustain the decision of the Commission or (b) sustain the appeal and remand the decision to the Commission for correction of errors or omissions and for reconsideration. The final decision of the appeals committee shall be distributed to the music executive and the chief executive officer of the institution and to the Chair of the Commission whose decision is being appealed.

An institution's continuing disagreement with the final decision of the appeals committee shall be settled by arbitration in accordance with the Rules of the American Arbitration Association. Arbitration considers only items (a) and (b) of the Grounds for Appeal outlined in Section 4 of this article.

Section 10. Reconsideration by the Commission. If the appeal is denied, the Commission has no power to consider new evidence produced since the original decision.

If the appeal is sustained and the decision remanded to the Commission, the Commission in making a new decision shall take into account changes made by or occurring in the institution since the original decision. The Commission in its reconsideration shall utilize written materials submitted by the institution, and may utilize a team visit to the institution and such other procedures as are appropriate in correcting the errors and omissions identified by the appeals committee and in reaching a new decision on the institution's Membership. The institution may be assessed such fees as are established by the Association for such procedures, except that the institution may not be assessed fees for Commission actions taken solely to correct errors and omissions identified by the appeals committee. The institution is responsible, however, for reimbursing the expenses of any NASM visitors according to NASM procedures.

Section 11. Effective Date of Action. Until the final decision of the appeals committee, the decision under appeal shall not be in effect, and the accredited institutional Membership status of the institution shall remain as it was before the decision under appeal was made.

If the appeal is denied, the Commission decision under appeal shall become effective on the date of final adoption by the appeals committee of the recommendation that the appeal be denied and the decision be sustained.

If the appeal is sustained, the decision being appealed is void, and until the Commission takes a new action, the accredited institutional Membership status of the institution shall remain as it was before the decision under appeal was made.

NASM Handbook 2001-2002 – page 94

**VIII. Competencies, Standards, Guidelines, and Recommendations for
Specific Baccalaureate Degrees in Music**

J. Baccalaureate Degrees in Music Education

3. Desirable Attributes, Essential Competencies, and Professional Procedures

b. Music Competencies

Revise item b.(3) as follows:

- (3) *Functional Performance.* In addition to the skills required for all musicians, functional performance abilities in keyboard and the voice are essential. Functional performance abilities in instruments appropriate to the student's teaching specialization are also essential.

NASM Handbook 2001-2002 – page 163

Appendix I.A

**Specific Operational Standards for All Institutions of Higher Education for
Which NASM is the Designated Institutional Accreditor**

I. Standards for Accreditation

F. Teach-Out Agreements

Add new item 3 as follows:

3. Be articulated with an institution accredited by a nationally recognized accrediting agency.

NASM Handbook 2001-2002 – pages 164-165

Appendix I.A

**Specific Operational Standards for All Institutions of Higher Education for
Which NASM is the Designated Institutional Accreditor**

II. Procedural Requirements

C. Starting a Branch Campus or Similar Entity

Revise last paragraph as follows:

If the institution

- a. has a total of three or fewer additional locations;
- b. has not demonstrated a proven record of effective educational oversight of additional locations; or
- c. has been placed on administrative warning, probation, or show cause, or is subject to some limitation on its accreditation status;

then within six months of the opening of a branch campus or similar entity, the branch must host a team of NASM visiting evaluators.

Appendix I.A

**Specific Operational Standards for All Institutions of Higher Education for
Which NASM is the Designated Institutional Accreditor**

II. Procedural Requirements

F. Policies and Protocols for Institutions Participating in Federal Student Loan Programs

5. Rules Concerning Notification of Action By An NASM Commission

Amend first paragraph as follows:

NASM will notify the U.S. Secretary of Education, the appropriate State licensing or authorizing agency, the appropriate accrediting agencies, and the public of the following types of decisions, no later than 30 days after a decision is made:

Insert new item b. as follows:

- b. A decision to renew accreditation.

Reletter remaining points.

Amend first full paragraph following item f. (formerly item e.) as follows:

When the final decision is to deny, withdraw, suspend, terminate, or otherwise affect the accreditation status, the U.S. Secretary of Education, the appropriate State licensing or authorizing agency, and the appropriate accrediting agencies will be notified of the decision at the same time as the institution, but no later than 30 days after the decision is made.

Add new paragraph as follows:

When the final decision is to deny, withdraw, suspend, terminate, or otherwise affect the accreditation status, the public will be notified of the decision within twenty-four hours.

Amend last paragraph as follows:

No later than 60 days after a final decision, NASM makes available to the U.S. Secretary of Education, the appropriate State licensing or authorizing agency, and the public upon request, a brief statement summarizing the reasons for NASM's determination to deny, withdraw, suspend, terminate, or otherwise affect the accreditation status, and the comments, if any, that the affected institution may wish to make with regard to that decision.

Appendix III.E

Commission Time Guidelines for Interpreting the Continuous Deferral Policy

Amend as follows:

Normally, the total time period for demonstrating compliance with required standards shall not exceed:

1. Twelve months, if the program, or the longest program offered by the institution, is less than one year in length;
2. Eighteen months, if the program, or the longest program offered by the institution, is at least one year, but less than two years, in length; or
3. Two years, if the program, or the longest program offered by the institution, is at least two years in length.

If the institution or program does not bring itself into compliance within the specified period, the Commission must take adverse action unless the Commission extends the period for achieving compliance for good cause.

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