

**SOUTH DAKOTA BOARD OF REGENTS**

**Academic and Student Affairs**  
**Consent**

**AGENDA ITEM: 6 – B (4)**  
**DATE: August 2-4, 2022**

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**SUBJECT**

**Revised BOR Policy 2:13 – Externally Funded Course for Academic Credit Qualifications for Faculty Teaching Externally Funded Courses (Second Reading)**

**CONTROLLING STATUTE, RULE, OR POLICY**

[BOR Policy 2:8](#) – Level and Numbering of and Enrollment in Courses  
[BOR Policy 2:13](#) – Third Party Requests for Academic Credit  
[HLC Guidelines](#)

**BACKGROUND / DISCUSSION**

Each of the six universities are accredited by the Higher Learning Commission ([HLC](#))<sup>1</sup>. Higher Learning Commission (HLC) Assumed Practice B. Teaching and Learning: Quality, Resources, and Support<sup>1</sup> – effective September 1, 2017 – notes that faculty teaching in higher education institutions should have completed a program of study in the discipline or subfield in which they teach that is at least one level above that of the courses being taught or developed. Therefore, faculty teaching in graduate programs should hold the terminal degree determined by the discipline and have a record of research, scholarship, or achievement appropriate for the graduate program.

While faculty credentials are the primary mechanism to ascertain faculty qualifications, tested experience (also called equivalent experience) may be considered by the institution in determining whether a faculty member is qualified. The HLC defines tested experience as real-world experience equivalent to the degree it would otherwise require for a faculty position. Per the HLC, institutions that use tested experience should have well-defined policies, procedures and documentation approved through the faculty governance process that guide decisions on when experience is equivalent to the earned credential.

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<sup>1</sup> Higher Learning Commission (2020). Official HLC Guidelines. Determining qualified faculty through HLC’s criteria for accreditation and assumed practices. Guidelines for institutions and peer reviewers. Retrieved from [https://download.hlcommission.org/FacultyGuidelines\\_OPB.pdf](https://download.hlcommission.org/FacultyGuidelines_OPB.pdf)

(Continued)

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**DRAFT MOTION 20220802\_6-B(4):**

I move to approve the second and final reading of the proposed revisions to BOR Policy 2:13, as presented.

Board Policy 2:13 Third Party Requests for Academic Credit, approved in 2005, sets the minimum qualifications for instructors contracted to teach externally funded courses:

- Faculty Qualifications. Instructors teaching graduate credit for externally funded courses at the 500-level must have a minimum of a master's degree in the discipline. For 600-900 level courses, instructors must have a minimum of the terminal degree in the discipline. In Education, instructors may instead possess a specialist degree.

Board Policy 2:13 notes instructors teaching an externally funded course at the 500-level need only a master's degree, but that policy was approved in 2005 and has not been updated to reflect the more rigorous HLC guidelines on faculty qualifications enacted in 2017. This policy change reflects the more rigorous HLC guidelines.

Substantive changes in this policy include:

1. Title change to Externally Funded Courses for Academic Credit
2. Updating of the Purpose
3. Addition of the Definitions
4. Addition of Policy Statements
5. Language to reflect HLC Guidelines

## **IMPACT AND RECOMMENDATION**

Board Policy 2:13 was evaluated by the Academic Affairs Council (AAC) in coordination with the HLC guidelines. BOR academic staff recommended the policy be revised to 1) reflect the HLC's requirement on required academic credentials for instructors contracted to teach externally funded courses, and 2) reference the alternative qualification of tested experience for highly qualified professionals who do not meet the educational requirement (see Attachment I and II).

Timeline for this policy revision is as follows:

- First Reading – June 2022 BOR Meeting
- Second Reading – August 2022 BOR Meeting
- Guidelines and/or Forms – July/August 2022 (In-progress)

This is the second reading of the policy. No other revisions have been made since the first reading at the June 2022 BOR meeting.

## **ATTACHMENTS**

Attachment I – Revised BOR Policy 2:13 (With Track Changes)

Attachment II – Revised BOR Policy 2:13 (Clean Copy/Without Track Changes)

## SOUTH DAKOTA BOARD OF REGENTS

### Policy Manual

**SUBJECT:** ~~Third Party Requests for Academic Credit~~ Externally Funded Courses for Academic Credit

**NUMBER:** 2:13

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#### **A. PURPOSE**

The Regental system is committed to (1) providing courses for academic credit that are of a consistently high quality and (2) complying with the standards defined by the institutional accreditor.

Therefore, each University has established expectations and standards associated with teaching courses for academic credit within the Regental system. Most of the university courses are taught by members of the academic faculty. Other approved faculty may teach credit-bearing classes in accordance with the provisions of this policy.

~~Universities are authorized to receive and evaluate requests from groups, governmental agencies, businesses, associations, and other entities for academic credit for workshops and conferences. This includes Regental campus entities financed by grant funds. Refer to BOR policies 5:5, 5:5:3, and 5:17 for information on tuition, fees, and use of the Special Externally Funded Tuition Rate.~~

#### **B. DEFINITIONS**

1. **Board of Regents:** Defined as the constitutional body responsible for governing the Unified System of Public Higher Education in South Dakota, which encompasses its supervision, coordination, management, and regulation. Board of Regents Policy 1:0, 1:1 and SDCL § 13-49 through § 13-53 provides the authority to govern academic programming.
2. **Institutional Accreditor:** The six public universities are accredited by the Higher Learning Commission.
3. **Institution:** Defined as one of the six (6) universities: Black Hills State University, Dakota State University, Northern State University, South Dakota School of Mines and Technology, South Dakota State University, and University of South Dakota.
4. **Instructor:** The individual listed in the student information system as the instructor for a course.
5. **Third Party:** An independent employer or agency outside of the Regental system.

#### **C. POLICY STATEMENTS**

**1. Governance:**

- 1.1. Board of Regents Policy 1:0, 1:1 and SDCL § 13-49 through § 13-53 provides the authority to govern academic programming and tuition and fees.
- 1.2. The Board of Regents governs externally funded courses and approves the tuition and fees assigned in accordance with Board policy.
- 1.3. BOR policies 5:5, 5:5:3, and 5:17 govern tuition, fees, and use of the Special Externally Funded Tuition Rate.
- 1.4. Universities are authorized to receive and evaluate requests from groups, governmental agencies, businesses, associations, and other entities for academic credit for workshops and conferences. This includes Regental campus entities financed by grant funds

**D. COURSE EXPECTATIONS**

Institutions are required to follow the requirements of the institution accreditor, AAC guidelines, and BOR policies, and student information system requirements.

**1. Courses****2.1. Course Prefix**

The prefix is determined by the discipline of the course. Universities shall use only the prefixes for which they are approved.

**3.2. Course Level**

3.1.2.1. Courses may be offered at the undergraduate or graduate level. Refer to BOR policy 2:8 Levels and Numbering of and Enrollment in Courses for further information.

3.2.2.2. Readings, assignments, and evaluation standards shall make the course comparable to others at the same level within the university.

**4.3. Course Numbers**

4.1.3.1. Undergraduate courses may only use the numbers for Workshops (193, 293, 393, or 493) or Special Topics (192, 292, 392, or 492). Refer to BOR policy 2:8 for further information. The university may limit workshop credit hours that apply to an associate or baccalaureate degree. The university will publish this limit.

4.2.3.2. Graduate courses developed by external groups may only use the 592 number for Special Topics or the 593 number for Workshops. University developed courses may only use the Special Topics numbers (592, 692, 792, or 892) or the Workshop numbers (593, 693, 793, or 893). For the limit on the number of Workshop credit hours that may apply to a graduate degree, refer to BOR policy 2:8.2.E.

**5.4. Credit Hours**

The number of credit hours for each course depends on the course requirements. Workshops typically are 1 credit hour and Special Topics courses typically are 1 to 3 credit

hours. All courses offered for credit must involve a minimum of fifteen contact hours over three instructional days for each credit hour awarded.

### **6.5. Course Approval Process**

**6.1.5.1.** The Third Party is responsible for submitting a copy of their proposed course syllabus to the university Vice President for Academic Affairs a minimum of 8 weeks (40 working days) prior to the start date of the course. The Vice President for Academic Affairs will designate the appropriate Dean and Department Chair to conduct the course review process.

**6.2.5.2.** If the Third Party wishes credit to be granted by more than one Regental university, s/he should contact the BOR Senior Administrator who will coordinate the course approval process in consultation with the university Vice Presidents for Academic Affairs.

### **7.6. Site of Course Delivery**

**7.1.6.1.** Courses typically are delivered at an ~~off-campus~~off-campus site.

**7.2.6.2.** If courses are offered on a Regental university campus, an agreement for use of facilities is required.

**7.3.6.3.** If courses are offered at a location other than a Regental university campus and do not utilize any university facilities, an agreement for use of university facilities is not required.

**7.4.6.4.** If a university entity is funded by a grant and the university indicated that use of facilities was a match, the entity may use facilities for offering an approved course without additional cost. An agreement for use of university facilities is not required.

## **B.E. FACULTY EXPECTATIONS**

### **2. Faculty**

#### **1. Qualifications for teaching undergraduate credit (100-499)**

- 1.1. The instructor must have a minimum of a master's degree in the discipline or a master's degree with 18 graduate hours in the discipline.
- 1.2. An individual with the qualifications indicated in (1) above may serve as the Lead Instructor who supervises instructors delivering the course.

#### **2. Qualifications for teaching graduate credit (500-899)**

~~2.1. For 500 level courses, the instructor must have a minimum of a master's degree in the discipline.~~

~~2.2.2.1.~~ For 600-899 level courses, ~~t~~The instructor must have a ~~minimum of the~~ terminal degree in the discipline or meet the university's policy for tested experience. In Education, the instructor also may have a Specialist degree.

2.3.2.2. With approval of the Vice President for Academic Affairs, an individual with the qualifications indicated in (2.1) ~~and (2)~~ above may serve as the Lead Instructor who supervises instructors delivering the course.

### 3. Approval of Course Instructors

- 3.1. Faculty not employed by the university must be approved by the university to serve as the course instructor.
- 3.2. A request for approval of a course instructor and a copy of his/her vita must accompany the proposed course syllabus submitted to the university Vice President for Academic Affairs.
- 3.3. Approval of a course instructor will be part of the process for review of the proposed course to be taught by the instructor.

### 4. Compensation

- 4.1. Faculty employed by the university must be compensated according to the current BOR agreement with the faculty union. Information may be obtained from the university Vice President for Academic Affairs.
- 4.2. The Third Party provides the compensation funds, including salary and benefits, to the university and the university pays the faculty member.
- 4.3. Faculty employed by the university may not donate their services for teaching the course to a Third Party.
- 4.4. The Third Party establishes compensation for course instructors who are employed by the Third Party and are not university faculty.

### **FORMS / APPENDICES:**

None

### **SOURCE:**

BOR March 2005; July 2019 (Clerical); BOR August 2022.

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### Policy Manual

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##### **1. Course Prefix**

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##### **2. Course Level**

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##### **3. Course Numbers**

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##### **4. Credit Hours**

The number of credit hours for each course depends on the course requirements. Workshops typically are 1 credit hour and Special Topics courses typically are 1 to 3 credit hours. All courses offered for credit must involve a minimum of fifteen contact hours over three instructional days for each credit hour awarded.

##### **5. Course Approval Process**

- 5.1. The Third Party is responsible for submitting a copy of their proposed course syllabus to the university Vice President for Academic Affairs a minimum of 8 weeks (40 working days) prior to the start date of the course. The Vice President for Academic Affairs will designate the appropriate Dean and Department Chair to conduct the course review process.



- 5.2. If the Third Party wishes credit to be granted by more than one Regental university, s/he should contact the BOR Senior Administrator who will coordinate the course approval process in consultation with the university Vice Presidents for Academic Affairs.

## **6. Site of Course Delivery**

- 6.1. Courses typically are delivered at an off-campus site.
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- 6.3. If courses are offered at a location other than a Regental university campus and do not utilize any university facilities, an agreement for use of university facilities is not required.
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## **E. FACULTY EXPECTATIONS**

### **1. Qualifications for teaching undergraduate credit (100-499)**

- 1.1. The instructor must have a minimum of a master's degree in the discipline or a master's degree with 18 graduate hours in the discipline.
- 1.2. An individual with the qualifications indicated in (1) above may serve as the Lead Instructor who supervises instructors delivering the course.

### **2. Qualifications for teaching graduate credit (500-899)**

- 2.1. The instructor must have a terminal degree in the discipline or meet the university's policy for tested experience. In Education, the instructor also may have a specialist degree.
- 2.2. With approval of the vice president for academic affairs, an individual with the qualifications indicated in (2.1) above may serve as the Lead Instructor who supervises instructors delivering the course.

### **3. Approval of Course Instructors**

- 3.1. Faculty not employed by the university must be approved by the university to serve as the course instructor.
- 3.2. A request for approval of a course instructor and a copy of his/her vita must accompany the proposed course syllabus submitted to the university vice president for academic affairs.
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### **4. Compensation**

- 4.1. Faculty employed by the university must be compensated according to the current BOR agreement with the faculty union. Information may be obtained from the university vice president for academic affairs.
- 4.2. The Third Party provides the compensation funds, including salary and benefits, to the university and the university pays the faculty member.
- 4.3. Faculty employed by the university may not donate their services for teaching the course to a Third Party.
- 4.4. The Third Party establishes compensation for course instructors who are employed by the Third Party and are not university faculty.

**FORMS / APPENDICES:**

Externally Funded Course Form

**SOURCE:**

BOR March 2005; July 2019 (Clerical); BOR August 2022.