



January 26, 2016

Barbara Gellman-Danley, President  
Higher Learning Commission  
230 South LaSalle Street, Suite 7-500  
Chicago, IL 60604-1411

Dear President Gellman-Danley:

It is with disappointment that I read your letter recommending that Adams State University (ASU) be placed on probation as a result of the Advisory visit focusing on our Extended Studies Program. The negative impact on our ability to expand programs and services to our students is significant. I would like to take this opportunity to explain why we believe that we should undergo continued monitoring or be put on notice and not be placed on probation.

Having been president now for six months, I have shown that I am taking an active role in reviewing and resolving compliance issues. We have many new policies and practices that have been established that will address concerns. We have not been given the opportunity to prove the effectiveness of these measures.

ASU has demonstrated, historically and in this most recent incident, that we take very proactive measures to immediately address any concerns identified as quickly as possible. The issues raised by the January 2015 Chronicle article focused on student identity verification and allegations of inappropriate assistance to students in enrolling and completing courses. We took immediate action to strengthen the identity verification and proctoring practices.

It should be noted that neither of these concerns is identified as a concern by the review team from their recent visit. This attests to ASU's efforts to constantly improve and adhere to the Criterion. The concerns identified in the report were not mentioned in the Chronicle article which prompted the Advisory visit, and were not identified as concerns by either external reviewer. ASU has demonstrated a consistent effort to meet HLC's expectation of continuous improvement and has addressed issues as they are identified and all areas addressed in the report have already been addressed or are in progress with the intent of full resolution by fall 2016.

I would also like to note that ASU's scheduled comprehensive review is in April 2017. In order to meet the criteria for accreditation at that time ASU will need to demonstrate compliance with

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all criteria. While we acknowledge there is still work to be done the evidence provided above shows that ASU has made good progress towards meeting them.

In the evidence, you will find an email from Assistant Vice President Roybal to faculty instructing them to resolve any compliance issues. I mention this because it reflects that with our new organizational structure and procedures, Assistant Vice President Roybal and his staff have the authority to instruct faculty to resolve any possible compliance issue. This was mentioned as a concern and it is one that has already been resolved.

Like other colleges and universities across the nation, ASU is working to comply with the ACA regulations. I was surprised to see this listed as a concern, since we are confident we will be in full compliance by the federal deadline of January 17, 2017. I do not believe it is fair to include this as grounds for placing us on probation.

I appreciate your taking the time to read this and the attached report. Again, we are asking that you reconsider placing us on probation. Imposing sanctions, such as probation, at this time simply adds stress to the institution faculty and staff at a time when they are working hard to provide evidence that all aspects of our operations, not just those of Extended Studies, meet HLC criteria.

Sincerely,



Dr. Beverlee J. McClure  
President

## **Adams State University Response to the August 2015 HLC Advisory Visit Report & Recommendations**

The following response addresses the report submitted to HLC by Team Reviewers Dr. Susan Murphy and Dr. Cheryl Murphy. The response is organized to align with the specific Criteria and Assumed Practices with which the review team had concerns. Those areas that were considered 'met' are not addressed in this response.

The response summarizes the review team's findings using the same sub-headings as the report: Areas Demonstrating Adequate Progress, Areas Requiring Further Organizational Attention, and Areas Requiring Further Commission and Organizational Attention. Each section addresses the proactive measures ASU has taken to address the concerns identified. Hyperlinks are provided throughout the report to access evidence documents referenced in the response. In addition, a full listing of evidence provided is available at the following webpage:

[http://adams.edu/extended\\_studies/special-monitoring/index.php](http://adams.edu/extended_studies/special-monitoring/index.php)

### **Areas of Concern**

**2.A. The institution operates with integrity in its financial, academic, personnel, and auxiliary functions; it establishes and follows policies and processes for fair and ethical behavior on the part of its governing board, administration, faculty, and staff.**

Core Component 2A – Review Team Finding: Not met

#### *Areas Demonstrating Adequate Progress*

Reviewers did note multiple actions where ASU has taken adequate progress to comply. Reviewers specifically cite the following:

- ASU actively pursues its stated mission and vision; Extended Studies courses are viewed as an integral component of the mission and vision
- ASU has incorporated numerous policies and procedures to ensure distance learning activities are in accord with the institution's stated values
- ASU hosted two external independent reviews prior to the Advisory visit; the review team confirms the findings of these review teams that ASU has taken the intensified focus on the institution to analyze policies and procedures and work towards improvement
- ASU adopted policies requiring the use of verified testing centers or online proctored exams as a means of verifying student identity
- ASU has reorganized to ensure that Extended Studies reports directly to the Vice President for Academic Affairs

- ASU has recently reviewed or updated many of its policies, in particular the Academic Integrity policy
- ASU has joined NC-SARA
- ASU requires that student take a minimum of 6-8 weeks to complete a 3-credit course

### *Areas Requiring Further Organizational Attention*

Reviewers note some areas where additional organizational attention is required. Reviewers point out the following as areas that need more institutional attention:

- Review ACA and Fair Labor Laws to ensure that ASU complies, especially for instructors with significant enrollment numbers (many students and/or multiple sections)

Federal regulations dictate that Affordable Care Act (ACA) compliance be in place by January 2017, nearly a year from now. This effort has been underway since before the review team visit, and included research into how other institutions are addressing ACA requirements. To date no institution has been identified with a similar structure to ASU. Despite this, during the fall semester ASU established faculty load policies for both full ([Faculty Load Policy](#)) and part time on-campus faculty ([ACA Instructor Credit Assignment Policy](#)). Final approval will occur at the January 20 and February 17, 2016 Cabinet meetings. Now that an on-campus teaching load policy is in place ASU Human Resources will use that document as a basis for determining full time equivalency for the Extended Studies faculty establishing proper tracking of teaching load in order to ensure health benefits are being offered to all eligible employees. Additionally, ASU Human Resources has requested updated Extended Studies adjunct data in order to determine the best course of action to evaluate the teaching load of Extended Studies faculty in relationship to offering benefits to those that fall under the category of full time faculty as defined by the ACA. Extended Studies has [submitted](#) to ASU Human Resources a [report](#) indicating enrollment per instructor and course section. In combination with the policies for on-campus faculty this will enable the establishment of a policy for Extended Studies faculty and overload for campus faculty teaching Extended Studies courses. ASU Academic Council will discuss this at the [January 25](#) meeting. A policy that complies with ACA and Fair Labor Laws will be established and put into practice by January 2017.

ASU is committed to ensuring fair labor practices, as well excellent academic quality for students. To this end we have added more sections of courses in English and mathematics which have historically high enrollment levels. A comparison of open enrollment (year-long) [mathematics courses](#) from Fall 2014 to Fall 2015 indicates that the average faculty total student-to-faculty ratio has dropped from 19.56 to 10.38. Additionally, there is only one course with high enrollment (70) as compared to 2 sections of 97 students in Fall 2014. In [English courses](#) the student-to-faculty ratio has also dropped. In Fall 2014 the ratio was 18.77 and in Fall 2015 it was 12.54. The enrollment was better distributed with no section enrolling more than 36 students as compared to 105 in Fall 2014. Once a policy has been implemented all sections should have

enrollments that approximate those of on-campus faculty. Further, Extended Studies will review enrollments in other courses identified through the enrollment report and work to establish appropriate loads, assigned sections, and policies similar to English and Mathematics department ratios.

#### *Areas requiring Further Commission and Organizational Attention*

Reviewers note that ASU may be in violation of USDOE section 600.2 of the Electronic Code of Federal Regulations, and institutional policy, specifically in regards to the definitions of distance education and correspondence courses and the degree of faculty-student interaction. Specific areas which must be addressed are:

- The degree of faculty/student interaction in Online Semester Based (OSB) courses; several of these appear to be devoid of significant faculty/student interaction; interaction must be regular and substantive; Some OSB courses do not follow a set schedule or have set due dates
- There is no apparent difference between some OSB course and the Open Enrollment (OE) correspondence equivalent; many OSB courses appear to really be correspondence courses

Since these issues had not previously been raised by either external reviewer, Colorado Department of Higher Education review team, or Independent Reviewer Dr. Phil Moss ASU will address the issue as the highest priority. ASU has taken immediate steps to address these concerns and to identify the OSB (online, semester-based) courses which may not meet the Federal Department of Education definition of Distance Education. Extended Studies identified 25 OSB courses which required immediate quality assurance review. Of the 25 courses, 21 were identified as the most egregious non-compliant courses requiring major revision. These 21 sections were closed immediately as of January 15, 2016.

Extended Studies implemented an action plan for revision of all OSB courses. First, AITC and the Extended Studies quality assurance unit updated the [Online Course Quality Assurance Form](#) to reflect best practices based on Quality Matters™ (QM™) standards. The work to update the Online Course Quality Assurance form was initiated well before the advisory visit. By the Summer of 2015, AITC had four staff members who had completed the “Applying the QM™ Rubric” course and one staff member who had become a certified peer QM™ reviewer. In the Fall of 2015 AITC was already working to create an updated Online Course Quality Assurance Form. They also engaged in conversations with Extended Studies leaders to identify a process to review existing OSB courses in the Spring 2016 term using the updated form. Second, Extended Studies [notified](#) the instructors for the 21 courses on January 18, 2016 of the courses being closed requiring that the instructors take action to update their courses to meet current Online Course Quality Assurance requirements by March 15, 2016. Third, Extended Studies has further identified 25 additional courses which have met or recently exceeded the three-year revision requirement. As of January 21, 2016, Extended Studies has [notified](#) the instructors for these courses that they will be required to update their courses meeting the Online Course Quality

Assurance requirements prior to the Summer 2016 term or the courses will be closed. Fourth, AITC has agreed to review the remaining 65+ courses over the Spring 2016 term based on the Online Course Quality Assurance Form to further identify additional courses which may require revisions. Those courses identified from the review will be required to be revised over the Summer 2016 term or face closure effective Fall 2016. Finally, the Associate Vice President for Extended Studies- Academics and the Extended Studies Quality Assurance unit have been granted the authority and support by the President of Adams State University to reject courses which do not meet the standards outlined above.

In summary, reviewers have concerns about faculty teaching load and ACA compliance but sanctions are not indicated in the review team report.

ASU believes there are multiple areas where compliance is indicated, and only two which need further attention. In both of these areas ASU has made significant progress towards addressing the concerns since the review team visit. Throughout the last year ASU has been proactive in identifying and addressing concerns in a manner that demonstrates continuous improvement. Therefore ASU believes a designation of 'met with concerns' rather than 'not met' is warranted for Core Component 2.A.

**2.E. The institution's policies and procedures call for responsible acquisition, discovery and application of knowledge by its faculty, students, and staff.**

**Sub-component 3. The institution has and enforces policies on academic honesty and integrity.**

Core Component 2E – Sub-component 3 - Review Team Finding: Met with Concerns

*Areas Demonstrating Adequate Progress*

Reviewers noted that ASU has taken adequate progress to comply with initial concerns raised regarding Academic Integrity. It has already completed the following actions:

- Revisions to the Academic Integrity policy (passed by cabinet 09/17/2015)  
<https://www.adams.edu/academics/100-03-01-academic-integrity-dishonesty.pdf>
- Ensuring Academic Integrity is addressed in the Code of Conduct in the Student Handbook, ASU General Catalog and Faculty Handbook
- Academic Integrity web page  
[http://www.adams.edu/extended\\_studies/undergrad/academic-integrity.php](http://www.adams.edu/extended_studies/undergrad/academic-integrity.php)
- President's Statement on Academic Integrity <http://www.adams.edu/president/academic-integrity.php>

### *Areas Requiring Further Organizational Attention*

Reviewers note a few areas where additional organizational attention is required. In particular:

- Of the OSB courses reviewed not all courses followed prescribed standards and significant number had broken links and lacked information that would have been available if the template had been followed
  - the team notes that the majority of courses violated only a few policy elements but some were egregiously out of compliance
  - the team acknowledges that there had been little time in place for implementation
- Department chairs acknowledge that faculty struggle to balance adherence to policy and academic freedom

ASU began working on more robust policies on academic integrity, and on communicating those more effectively to students, as soon as concerns were raised. The areas demonstrating adequate progress, cited above, reflect this. Unfortunately, because the review team visited in mid-September both OSB and OE (open enrollment) classes were already underway. It was impossible to change the requirements, policies, and links in courses that were in progress. This would have resulted in the syllabus being modified or changed while students were actively completing course requirements. This also made it unfeasible to implement the existing [English department policy](#) that requires one high stakes proctored writing assignment in composition courses and one high stakes proctored exam in literature courses. This policy was not approved until September, 22, 2015, seven days after the advisory visit took place on the ASU campus.

The three-year course review cycle also meant that some English courses would not have been up for revision until 2017 or 2018. While ASU had intended to review all courses on the existing three-year cycle, it has opted to accelerate the timeline for revisions of OSB and OE courses as described earlier. Lower division English instructors who offered courses with either no proctored assignment/exam or with assessments that were considered low-stakes (less than 20% of the overall grade in the course) were [notified](#) on January 14, 2016 of the requirement to revise their course within 45 days or their course would be closed for further enrollments. The Online Course Quality Assurance Form was updated to include appropriate levels of instructor-to-student interaction, course schedules, and academic integrity statements. Other courses will be revised on a slightly less accelerated timeline but all will be expected to meet the requirements on the updated [Online Course Quality Assurance Form](#). Any of the revised courses not meeting the standards, proctoring requirements, and Extended Studies expectations for adequate instruction will not be approved. ([Email 01/12/16](#) and [Email 01/13/16](#)).

## *Areas Requiring Further Commission and Organizational Attention*

Reviewers note one area where requiring organizational attention & Commission follow-up is required relating to a single academic department:

- Specific issues with English courses where they did not align with minimum expectations in regards to proctored exams

This section of the review team report requires some correction. The review team met with the English and Math department chairs at the same time in one of the scheduled meetings. They also met the instructors of English and mathematics courses together in an instructor's meeting. The report appears to interpret requirements for both disciplines as identical, which is not the case. While both departments already had established criteria for proctoring and high stakes testing, they did not have the same requirements. The mathematics department [letter of agreement](#) requires two or more proctored exams worth at least 20% of the grade. All mathematics classes meet this requirement. The English department, at the time of the review, required one high stakes writing assignment or exam in a secure, proctored environment. It is not specified what percentage of the grade this assignment must meet. The English department standard was adopted by [letter](#) in June 2014. The report assumes that both departments required 2 exams, but this is an error in fact. The fact is [74% of lower-division English courses and 100% of the ENG 101 and 102 courses](#) offered met the requirement of one proctored writing assignment or exam. One week after the review team visit the English department [requirement](#) was revised again to clarify that source-based writing of more than four pages and all term papers must be submitted to plagiarism detection software. The current policy is applicable to all English courses, but neither policy specifies the percentage of the grade they will determine. The English department requested the requirements be updated as new courses were developed or existing courses met the three-year revision deadline. This step was taken by the English department prior to receiving the review team report to ensure academic integrity. As stated earlier, because the review team visit occurred when the semester was underway, it was not feasible to revise courses for Fall 2015. ASU will focus on addressing issues in these courses immediately. Although the English department [letter](#) indicated the requirements were to be met when new courses were introduced or existing courses met the three-year revision deadline, ASU initiated immediate action upon receiving the Advisory Visit report on January 7, 2016 by making [notifications](#) to affected instructors indicating the requirement to update their course within the next 45 days. Online courses must meet the requirements of the updated [Online Course Quality Assurance Form](#) as well. Academic Council will also discuss revisions to OE courses at their January 25 meeting as detailed in the [meeting agenda](#).

Sanctions are not indicated in the review team report

ASU agrees with the 'met with concerns' designation and will work to remedy the areas identified as described above.

### Assumed Practice B.1.e. – Met (B.1.e. - with concerns)

- a. Courses that carry academic credit toward college-level credentials have content and rigor appropriate to higher education.**

In regard to Assumed Practice B.1. e., reviewers identify concerns related to rigor as a result of discrepancies between the engagement level of students in OSB and OE courses. Reviewers also identify concerns related to enforcement of policies requiring two proctored exams accounting for 20% of the course grade in certain English classes. This misrepresents the English department policies and confuses them with Mathematics department policies as described earlier. ASU is continuing to address the compliance of English classes immediately. There were no concerns with other aspects of Assumed Practice B.

ASU agrees with the ‘met with concerns’ designation for B.1.e. and will work to remedy the areas identified.

### **Conclusion**

ASU contends that the steps already implemented, and demonstration of continuous improvement in the areas cited as areas of concern, warrant a finding of ‘met with concerns’ for Criterion 2A. In conjunction with the team findings of ‘met with concerns’ for 2E and Assumed Practice B.1.e. we argue that the overall findings indicate that we have in fact met the Criterion in accordance with HLC policy that:

“The institution meets the Core Component if the Core Component:

b. is met with concerns, that is the institution demonstrates the characteristics expected by the Criterion, but performance in relation to some Core Components of the Criterion must be improved.” <http://www.hlcommission.org/Criteria-Eligibility-and-Candidacy/criteria-and-core-components.html>

We believe the response adequately demonstrates that this is an appropriate finding and that ASU should undergo continued monitoring or be put on notice rather than be placed on probation.