



Third-Party Provider Procedure

Category: Academic

Name of Responsible Offices: Provost and Vice President for Academic and Student Affairs
Administrative Services/Chief Financial Officer
Institutional Compliance & Internal Audit

Title of Responsible Executive: Provost and Vice President, Academic and Student Affairs

Date Established:

Date Last Approved:

Description of Procedure

Monroe Community College (MCC) has established this procedure to ensure that all contractual arrangements with third-party providers (TPPs) meet the highest standards of oversight, accountability, and compliance. These procedures outline the requirements for initiating, approving, monitoring, and evaluating TPP agreements to protect the integrity of MCC's academic programs, student support services, and business operations.

This procedure ensures that all TPP engagements align with institutional policies, accreditation requirements, and regulatory obligations. It defines the responsibilities of contract owners, establishes criteria for agreement approvals, mandates regular assessment of provider performance, and requires centralized recordkeeping for transparency and compliance. By adhering to these guidelines, MCC safeguards its mission, upholds quality standards, and ensures that all third-party partnerships support student success and institutional excellence.

Types of Arrangements Covered

This policy guides all contractual arrangements with TPPs: any entity, institution, or organization that has a formal agreement to deliver services on behalf of MCC. For purposes of this policy, the following types of arrangements shall be included:

1. **Delivery of Student Learning Opportunities:** This includes non-credit and credit-bearing programs such as workforce development, internships, clinical placements, student teaching, and other experiential learning opportunities.
2. **Student Support Services:** Third-party providers offering advising, counseling, tutoring, student recruitment, marketing, advertising, and campus safety services. This also covers international student management, including English language support and coordination of student services such as food and dining operations.
3. **Assessment of Student Learning:** Providers contracted to assist with the design, implementation, or evaluation of assessment strategies related to student learning outcomes or institutional effectiveness.
4. **Operational and Business Functions:** Services that support the College's business operations, such as procurement, human resources, information technology, and facility management.
5. **Exempt Contracts:** Contracts solely for goods, supplies, products, equipment or software that do not include educational, or student services are exempt from this policy.

General Responsibilities

- A. **Minimum Requirements for Contracts with Third-Party Providers:** This policy ensures that any contract, articulation agreement, or transfer agreement that MCC enters into with a TPP includes a clear framework for managing, assessing, overseeing, and supporting third-party services and programs. This oversight ensures compliance with institutional standards, quality assurance, and regulatory requirements. At a minimum, all contracts between the College and a TPP must address the following requirements:
1. The contract or agreement must clearly outline the responsibilities and services offered by MCC within the partnership.
 2. The contract or agreement must clearly define the TPP's services, how those services will be delivered, and what percentage of any credit-bearing educational programs the TPP will be responsible for.
 3. The duration of the contract, including start and end dates, must be included in the contract or agreement.
 4. The contract or agreement must identify which institution will be responsible for awarding credits and degrees, if applicable.
 5. The contract or agreement, where applicable, must outline detailed compensation arrangements for each party, including faculty compensation.
 6. The terms of evaluation will be clearly defined, relating to how the services provided will be evaluated and monitored for quality assurance.
 7. The contract or agreement will outline the conditions under which the contract may be terminated or renewed.
 8. Protections for students will be defined to safeguard them if the contract is terminated or amended, such as ensuring continuity of education or alternative arrangements.
 9. The contract or agreement must provide procedures for addressing any grievances related to the services delivered by the third-party provider.
 10. The contract or agreement must state the legal jurisdiction for resolving disputes related to the contract, including appropriate venues for addressing perceived breaches.
 11. The contract or agreement must include provision that gives MCC the right to perform evaluation of third-party services.
- B. **Contract Owner Responsibilities:** College employees and faculty acting as contract owners are responsible for ensuring that requisite internal and external approvals are obtained for any written arrangements or agreements involving TPP. This oversight requires collaboration with MCC's Information Security and Institutional Compliance and Internal Audit departments to ensure fidelity to compliance and data security requirements prior to the formalization of any agreement or contract.
- C. **Oversight and Evaluation:** All agreements with third-party providers must ensure that MCC retains comprehensive oversight and regularly evaluates the following essential functions to support quality and compliance:
1. **Marketing, Advertising, and Recruitment Materials:** All promotional content must align with MCC standards and accurately represent the programs and services offered.
 2. **Admissions Criteria:** Verify that admissions processes and criteria meet the academic standards set forth by MCC and ensure fair and equitable access for all potential students.
 3. **Tuition and Fees:** MCC oversees tuition rates and associated fees to maintain transparency and compliance with institutional policies.

4. Enrolled Student Records: Privacy and security measures must be in place to maintain student records in accordance with MCC policies and applicable regulations.
 5. Faculty Qualifications and Appointment: Confirm that faculty provided by the third-party provider meets the qualifications required by MCC.
 6. Curriculum Planning: Oversee the curriculum planning process to ensure alignment with the institution's mission and academic objectives.
 7. Course/Program Content and Rigor: Maintain oversight over course content, rigor, and any intellectual property rights associated with educational materials.
 8. Outcomes Assessment for Student Learning: Evaluate the effectiveness of third-party provided services in contributing to student learning outcomes.
 9. Academic Advising and Support Services: Monitor the delivery and quality of academic advising and other student support services to ensure they meet institutional standards.
 10. Awarding of Course Credit or Degrees: Verify that the awarding of credits or degrees is in accordance with MCC policies and accreditation standards.
 11. Transcripts: Confirm the accuracy, security, and proper issuance of transcripts for students participating in programs or courses delivered through third-party arrangements.
 12. Teaching and Instruction: All teaching and instructional materials and content must adhere to all applicable MCC's academic and instruction policies and procedures.
- D. Third-Party Provider Approval Responsibilities: The College must obtain all internal and external approvals for TPP arrangements per the College's academic and non-academic policies. These approvals must align with the requirements set forth by the College's Board of Trustees, the New York State Education Department, the U.S. Department of Education, the Middle States Commission on Higher Education (MSCHE), or other relevant accrediting bodies, as follows:
1. In all situations where MCC intends to outsource 100% of the essential operations or functions (e.g., security, dining services), the institution must gain express approval from the President.
 2. In cases where MCC intends to contract with an institution, inclusive of a state-operated, a private for-profit, or a not-for-profit organization, to administer any aspect of MCC's in any Title IV Higher Education Act (HEA) program, there must be express approval of the President.
 3. Written permission from MSCHE must be secured in the form of a substantive change request in the following scenarios:
 - a. When a TPP delivers 25% or more of an educational program.
 - b. When the College outsources portions of educational programs or operational functions to a TPP that is not accredited by an accreditor recognized by the U.S. Department of Education or is not eligible to participate in Title IV programs.
 - c. When an online program manager is contracted to deliver 25% or more of a credit-bearing educational program.
 - d. The written arrangement for the delivery of educational programs must include:
 1. Teaching.
 2. Instruction.
 3. Curriculum development.
 4. Instructional design.
 5. Online delivery of courses.
 6. Assessment of student learning.
 7. Marketing and recruitment.
 8. Student support services.
 9. Tutoring and/or advising.

- e. In situations where less than 25% of the credit-bearing educational program is provided by a TPP, MCC must provide requisite notifications or obtain required prior approvals from MSCHE.

Regular Assessment and Evaluation

MCC will regularly conduct assessment and evaluation of all TPPs, carried out by an appropriately credentialed representative of the institution. This assessment will include, but is not limited to, monitoring student feedback, ease of coordination between MCC and TPP staff, adherence to performance milestones, and the ability of third-party providers to effectively support MCC's students.

Recordkeeping

All agreements with TPPs must be maintained in a central database and be available for regular review by MCC or representatives of the MSCHE. At a minimum, MCC will maintain the following records:

1. A complete list of third-party providers delivering student learning opportunities.
2. The name of the educational program, the percentage of the program, and a description of the services provided by each TPP.
3. Written agreements with TPPs.
4. Evidence of the evaluation of each TPP to ensure compliance with standards and the quality of services provided.

Definitions

Third-Party Provider: A Third-Party Provider (TPP) is an entity, institution, or organization that has a contract or written arrangement with MCC to provide services to the college. Ineligible or non-accredited entities are those not accredited by a U.S. Department of Education-recognized accreditor and not certified to participate in Title IV programs. Examples of services provided by TPPs include educational services such as teaching, tutoring, advising/counseling, curriculum development, student services like advising and recruitment, or operational functions like procurement and IT.

Arrangement: A written agreement between MCC and a third-party provider to outsource a portion of the institution's educational programs or business operations. For accreditation purposes, outsourcing more than 25% of credit-bearing programs requires review and approval from relevant accrediting bodies.

Mid-Atlantic Region Commission on Higher Education, doing business as the Middle States Commission on Higher Education (MSCHE): The MSCHE is a global institutional accreditor recognized by the United States Secretary of Education since 1952. As an accreditor and member of the regulatory triad, MSCHE assures students and the public of the educational quality for its over 500 institutions of higher education. MSCHE's accreditation process ensures institutional accountability, self-appraisal, improvement, and innovation through peer review and the rigorous application of standards within the context of institutional mission.

Title IV of the Higher Education Act (HEA): Title IV of the HEA refers to the section of the HEA that governs the administration of federal student financial aid programs in the United States.

Provost and Vice President for Academic and Student Affairs: Oversees the implementation and administration of this policy as it relates to academic programs and educational services.

Chief Financial Officer: Responsible for ensuring the proper management of contracts and financial arrangements with third-party providers.

Institutional Compliance and Internal Audit: Responsible for the ongoing monitoring and assessment of third-party providers to ensure compliance with accreditation standards, federal regulations and institutional policies, as well as applicable legal and regulatory requirements.

Related Information

College Documents

Third-Party Provider Policy

MCC Third-Party Provider Assessment Form