

5 Dispute Resolution Subcommittee

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5.1 Overview

Created by legislation, the Dispute Resolution Subcommittee (DRS) provides a mechanism for resolving institutional disputes that emerge in TAOC or subcommittee deliberations regarding, but not limited to,:

- course equivalency standards
- courses submitted to meet equivalency standards
- statewide program articulation agreements
- articulated associate degree programs
- parallel bachelor degree programs

If the institution involved in the dispute has made a sincere effort to resolve the dispute but has been unable to do so, the DRS will act in a mediation role, when asked by the institution to do so, in an attempt to reach an outcome satisfactory to all sides.

5.2 Responsibilities

The DRS will conduct the following activities:

1. Hold meetings as the needed;
2. Submit a report to the full TAOC on the specific nature and resolution of disputes as they arise and are resolved, and
3. As necessary, bring to the floor of TAOC suggestions and a rationale for changes in the Purpose, Composition, or Operating Policies and Procedures of the Standards Subcommittees.

5.3 Membership

The DRS is comprised of a subset of voting members of TAOC.

Membership shall consist of the following:

1. The Secretary of Education, or a designee, who shall serve as Chair.
2. Three TAOC members representing the Community Colleges.
3. Three TAOC members representing the PASSHE institutions.
4. One member representing the independent and state-related institutions of higher education that elects to participate in the TAOC.
5. Additional members may be added by the Chair of the Subcommittee.

The DRS may also include one member representing the PA Commission for Community Colleges and one member representing the PASSHE Office of the Chancellor.

Members serve a staggered three-year term with rotation by college so that each year one member of the community college sector and one member of the PASSHE sector shall be replaced. The member representing the participating independent institutions of higher education shall serve for three years. Additional members appointed by the chair will serve for a period of three years. If a member is not available to serve at any time during the three-year term, the member may assign an alternate representative from their institution or organization.

See Appendix for rotation of members through 2020.

The rotation by sector is as follows:

- *Community Colleges:* Montgomery County Community College, Community College of Beaver County, Community College of Philadelphia, Community College of Allegheny County, Northampton Community College, Harrisburg Area Community College, Bucks County Community College, Reading Area Community College, Butler County Community College, Pennsylvania Highlands Community College, Lehigh Carbon Community College, Luzerne

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County Community College, Delaware County Community College, Westmoreland County Community College

- *PASSHE*: West Chester University, Shippensburg University, Millersville University, Bloomsburg University, California University of Pennsylvania, Cheyney University, Clarion University, East Stroudsburg University, Edinboro University, Indiana University of Pennsylvania, Kutztown University, Lock Haven University, Mansfield University, Slippery Rock University
- *Independent and state-related institutions*: Lincoln University (By date that the participation agreement is signed), St. Francis University, Lackawanna College, Pennsylvania College of Technology, Carlow University.

Initial terms of committee members:

- Montgomery County Community College and West Chester University will each serve one year terms, ending June 30, 2009. Community College of Allegheny County and Bloomsburg University will begin a three year term on July 1, 2009.
- Community College of Beaver County and Shippensburg University will each serve two year terms, ending June 30, 2010. Northampton Community College and California University of Pennsylvania will begin a three year term on July 1, 2010.
- Community College of Philadelphia and Millersville University will each serve three year terms, ending June 30, 2011. Harrisburg Area Community College and Cheyney University will begin a three year term on July 1, 2011.

5.4 Institutional Dispute Resolution Process

A participating TAOC institution may request a resolution by the DRS to disputes that arise relating to the transfer and application of credits. Contentious issues may include the following:

- A TAOC Curriculum Standards Subcommittee denying a course for transfer as a foundations course;
- A TAOC Curriculum Standards Subcommittee denying a new course title for inclusion on the Transfer Credit Framework; or,
- A TAOC Curriculum Standards Subcommittee approving a course that another institution deems non-transferable.

The Institutional Dispute Resolution Process is as follows:

1. The institution submits documentation in writing to the DRS Chair and indicates the details as they relate to the following:
 - a. Specific transfer and application of credits;
 - b. The efforts that the college has made to resolve the dispute; and
 - c. The desired outcome of the dispute resolution.
2. Within ten (10) days of receiving the dispute, DRS will decide if it has jurisdiction over the dispute and how to proceed.
 - a. If the issue presented is one of compliance, the DRS will notify the violating institution in writing of the issue and instruct the institution on the problem needs to be corrected to bring the institution back into compliance.
 - b. If the issue does not involve compliance, then the DRS will notify the disputing parties in writing as to the next course of action.
3. The DRS Chair notifies the Institution identified in the complaint and requests a response to the complaint within ten (10) business days.

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4. The DRS Chair schedules a meeting of the Subcommittee within 30 days of receiving the response and sends the dispute specifics and the rebuttal response(s) for review prior to the meeting. Any DRS members identified in the dispute will excuse themselves for that particular case. An alternate TAOC representative may temporarily be appointed to the committee by the Chair so no less than three community college representatives, three PASSHE representatives, and one independent representative are present at the meeting.
5. The DRS Chair convenes the DRS for the purpose of investigating the complaint. When a single location for the meeting is prohibitive, the meeting may be conducted via teleconference. The institution identified in the dispute has a right to be present at the meeting.
6. The DRS will propose a resolution to this dispute by consensus within ten (10) days. If a consensus cannot be reached, the DRS Chair will have the responsibility of making the final determination of the resolution. Any determination made will be binding upon the parties.
7. The institution and TAOC Curriculum Standards Subcommittee will be notified in writing by PDE as to the final decision and must abide by the final decision.

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Institution	7/1/2008	7/1/2009	7/1/2010	7/1/2011	7/1/2012	7/1/2013	7/1/2014	7/1/2015	7/1/2016	7/1/2017	7/1/2018	7/1/2019	7/1/2020
Montgomery County Community College	x												x
Community College of Beaver County	x	x											
Community College of Philadelphia	x	x	x										
Community College of Allegheny County		x	x	x									
Northampton Community College			x	x	x								
Harrisburg Area Community College				x	x	x							
Bucks County Community College					x	x	x						
Reading Area Community College						x	x	x					
Butler County Community College							x	x	x				
Pennsylvania Highlands Community College								x	x	x			
Lehigh Carbon Community College									x	x	x		
Luzerne County Community College										x	x	x	
Delaware County Community College											x	x	x
Westmoreland County Community College												x	x
West Chester University	x												x
Shippensburg University	x	x											
Millersville University	x	x	x										
Bloomsburg University		x	x	x									
California University of Pennsylvania			x	x	x								
Cheyney University				x	x	x							
Clarion University					x	x	x						
East Stroudsburg University						x	x	x					
Edinboro University							x	x	x				
Indiana University of Pennsylvania								x	x	x			
Kutztown University									x	x	x		
Lock Haven University										x	x	x	
Mansfield University											x	x	x
Slippery Rock University												x	x
Lincoln University	x	x	x										
St. Francis University				x	x	x							
Lackawanna College							x	x	x				
Pennsylvania College of Technology										x	x	x	
Carlow University													x