

§ 116-11.4. Accreditation.

(a) Definitions. – The following definitions apply in this section:

- (1) Accreditation cycle. – The period of time during which a constituent institution of The University of North Carolina is accredited.
- (2) Accrediting agency. – An agency or association that accredits institutions of higher education.
- (3) Regional accrediting agency. – One of the following accrediting agencies:
 - a. Higher Learning Commission.
 - b. Middle States Commission on Higher Education.
 - c. New England Commission on Higher Education.
 - d. Northwest Commission on Colleges and Universities.
 - e. Southern Association of Colleges and Schools Commission on Colleges.
 - f. Western Association of Schools and Colleges Senior College and University Commission.

(b) Prohibit Consecutive Accreditation by an Accrediting Agency. – A constituent institution of The University of North Carolina shall not receive accreditation by an accrediting agency for consecutive accreditation cycles except as provided in subsection (c) of this section.

(c) Accreditation Transfer Procedure. – A constituent institution that pursues accreditation with a different accrediting agency in accordance with this section shall pursue accreditation with a regional accrediting agency. If the constituent institution is not granted candidacy status by any regional accrediting agency that is different from its current accrediting agency at least three years prior to the expiration of its current accreditation, the constituent institution may remain with its current accrediting agency for an additional accreditation cycle.

(d) Certain Programs Exempt. – The requirements of this section do not apply to professional, graduate, departmental, or certificate programs at constituent institutions that have specific accreditation requirements or best practices, including law, pharmacy, engineering, and other similar educational programs, as identified by the Board of Governors of The University of North Carolina.

(e) Cause of Action. – A constituent institution may bring a civil action, as follows:

- (1) Against any person who makes a false statement to the accrediting agency of the constituent institution, if all of the following criteria are met:
 - a. The statement, if true, would mean the constituent institution is out of compliance with its accreditation standards.
 - b. The person made the statement with knowledge that the statement was false or with reckless disregard as to whether it was false.
 - c. The accrediting agency conducted a review of the constituent institution as a proximate result of the statement.
 - d. The review caused the constituent institution to incur costs.
- (2) A constituent institution that prevails on a cause of action initiated pursuant to this subsection shall be entitled to the following:
 - a. Costs related to the review conducted by the accrediting agency, including for the following:
 1. Additional hours worked by university personnel.
 2. Contracted services, including outside legal counsel.
 3. Travel, lodging, and food expenses.
 4. Fees required by the agency.
 - b. Reasonable attorney fees.
 - c. Court costs. (2023-132, s. 3.1(b).)