

Herkimer County Community College

Board Policy

TITLE: Third-Party Provider Oversight Policy

POLICY #: FA 25-28

DATE OF BOARD OF TRUSTEES APPROVAL:

RESOLUTION #: 25-28

POLICY STATEMENT: The purpose of this policy and procedures is to establish institutional oversight of arrangements with third-party providers to ensure compliance with accreditation standards, applicable regulations, and institutional policies. Herkimer County Community College maintains responsibility for the quality, integrity, and oversight of all institutional services, including those delivered by external providers.

The College shall establish and maintain a documented process for the identification, review, approval, and oversight of arrangements with third-party providers. All third-party arrangements must be supported by written agreements and reviewed by appropriate institutional offices prior to implementation. The College shall also maintain appropriate oversight through periodic review and evaluation to ensure that services are delivered in accordance with institutional expectations and contractual obligations.

This policy aligns with the expectations of the Middle States Commission on Higher Education regarding institutional oversight of third-party providers.

Responsible Office(s): Business Office, in coordination with Academic Affairs, Information Technology, and Student Services

Definition: A third-party provider is an external entity, organization, or institution that has a contract or written arrangement to provide services on behalf of the College that affect institutional operations, student services, or institutional functions.

Examples may include providers delivering services related to:

- Academic programs or instruction
- Assessment of student learning, including testing, proctoring, credentialing, or other assessment services.
- Student services or student support
- Institutional operations
- Technology systems
- Campus services
- Student financial services
- Enrollment management or recruitment
- Dining services or campus operations

Vendors that provide only goods or products (such as supplies or equipment) are not considered third-party providers under this policy.

Institutional Responsibility

Herkimer County Community College retains responsibility for:

- The quality and integrity of services delivered on its behalf
- Compliance with accreditation standards
- Oversight and monitoring of third-party arrangements
- Ensuring services support the College's mission and academic quality

The College maintains authority over institutional functions including:

- Academic programs and instruction
- Admissions decisions
- Curriculum development
- Student advising
- Tuition and fees
- Awarding of academic credit
- Maintenance of student records
- Issuance of transcripts

Procedures

1. Identification of Third-Party Providers

The Business Office shall maintain an inventory of vendors identified as third-party providers. A provider will generally be classified as a third-party provider if the entity:

- Delivers services directly affecting students.
- Designs, delivers, administers, or supports services for the assessment of student learning.
- Operates institutional systems or hosted platforms.
- Performs institutional operational functions.
- Provides services related to academic programs or student support.

Vendors providing only products or equipment are not considered third-party providers.

However, external entities that operate campus services or functions on behalf of the College (such as bookstore operations, dining services, or other auxiliary services) are considered third-party providers, even when those services include the sale of goods (e.g., textbooks or food).

2. Third-Party Provider Inventory

The College shall maintain a centralized inventory of third-party providers held in the Business Office, which may include:

- Provider name
- Service description
- Responsible department
- Contract start and end dates
- Whether student data is involved
- Whether the arrangement affects academic programs

- Contract location or repository
- Review or evaluation schedule

3. Review and Approval Process

Prior to entering into an agreement, third-party arrangements must be reviewed by appropriate institutional offices.

Review may include:

- Business Office
- Information Technology
- Academic Affairs
- Student Services
- Institutional Research

The review ensures that the arrangement:

- Supports institutional priorities
- Complies with policies
- Meets accreditation expectations
- Protects institutional and student data

4. Contract Requirements

All third-party arrangements must be documented through a written contract.

At minimum, contracts should address:

- Scope of services
- Responsibilities of both parties
- Term of the agreement
- Compensation structure
- Evaluation and renewal terms
- Termination provisions
- Student protections if services are discontinued
- Protections for the privacy, confidentiality, secure maintenance, access, retention, and appropriate release of student records and institutional data, as applicable.
- Grievance procedures, if applicable
- Jurisdiction and dispute provisions

Contracts are maintained in the Business Office and in accordance with institutional record retention policies.

5. Institutional Oversight

Each third-party provider must have a designated College office responsible for oversight.

The office responsible shall ensure:

- Services are delivered in accordance with contract terms
- Services support institutional goals and student success
- Issues are addressed promptly

The College retains full authority over institutional decision-making and does not delegate final authority over academic or institutional matters.

6. Periodic Review and Evaluation

Third-party relationships shall be periodically reviewed to assess effectiveness and compliance.

Reviews may occur:

- Annually
- At contract renewal
- When performance concerns arise

The College may implement corrective actions, modify agreements, or terminate arrangements as needed.

7. Substantive Change Considerations

Third-party arrangements involving academic program delivery may require review under accreditation substantive change policies. The College will determine whether notification or approval from the Middle States Commission on Higher Education is required.

8. Public Disclosure

When third-party providers deliver services that are student-facing or related to academic programs, the College will provide appropriate public disclosure of the arrangement in a manner consistent with accreditation expectations.

9. Record Retention and Documentation

Documentation related to third-party arrangements will be maintained and made available for accreditation or audit review. This includes contracts, inventories, evaluations, and oversight records.

10. Compliance Monitoring

The Business Office and relevant administrative offices will periodically review institutional practices to ensure continued compliance with accreditation standards and institutional policies.

Appendices

- Third-Party Provider Review Checklist