



COMPLAINTS ABOUT HLC-AFFILIATED INSTITUTIONS

Policy Change Approved on First Reading

The Higher Learning Commission (HLC) Board of Trustees (“the Board”) approved this policy on first reading at its meeting on June 27–28, 2019.

Background

The proposed changes would clarify HLC’s policy regarding complaints about its accredited and candidate institutions and align the policy with those of other regional accreditors. The proposed revisions would accomplish the following:

- Reduce the time limit for submitting a complaint to HLC from five to two years, except in cases where complaints reasonably could not have been submitted within the time limit. This change would ensure that information contained in a complaint is relatively current and fairly represents the extent of an affiliated institution’s current compliance with HLC requirements.
- Remove the option for complainants to request the confidentiality of their identity or documents. This change would set realistic expectations for complainants related to confidentiality and anonymity. In general, HLC does not accept anonymous complaints and cannot protect the confidentiality of complainants’ information regarding the complaint.
- Strongly encourage complainants to seek internal institutional remedies where possible, without a strict requirement that they exhaust all available means for complaint resolution at the institution.

Comments Invited

HLC invites comments on this change before the Board takes final action at its meeting on November 7–8, 2019. Comments can be sent to policycomments@hlcommission.org. Comments are due by September 23, 2019.

Proposed Change

Wording that was deleted or revised is shown as strikethrough (~~old wording~~); new language, whether through addition or revision, is shown in bold (**new wording**).

Policy Title: **Complaints and Other Information Regarding Affiliated Institutions**
Number: **COMM.A.10.030**

Scope

The Commission, aware of the value of information from the public, shall ~~receive~~ **review** complaints ~~against regarding its affiliated institutions but pursue only those complaints that bear upon the an~~ **affiliated institution's meeting of ability to meet the Criteria for Accreditation or other Commission requirements in a timely, fair, and equitable manner.** ~~Because the~~ **The** complaint process is intended to ~~pursue~~ **address** only those matters that suggest substantive non-compliance ~~by institutions.~~ **As such,** ~~the Commission shall expect individuals who have a personal dispute with an institution to use other internal and external grievance mechanisms, particularly the internal grievance procedures of the institution, to resolve the dispute~~ **the Commission generally expects individuals to attempt to resolve personal issues through the institution's own published grievance procedures for its stakeholders, as appropriate—students, faculty, staff or members of the public—before submitting a complaint to the Commission.** In no case will the Commission ~~use the~~ **complaint process be used to obtain** ~~to seek redress or to fashion~~ an individual remedy with an institution on behalf of a complainant.

Contents, Presentations, and Processing

The Commission will ~~consider no complaint that concerns~~ **not generally review complaints that concern** facts or circumstances that took place more than ~~five~~ **two** years from the date the complaint was received by the Commission. All complaints must be **submitted according to Commission procedures in writing and signed by the complainant** ~~although the Commission may at its discretion consider other complaints where warranted subject to the requirements in Other Information (below).~~ The Commission will acknowledge a complaint promptly and, within thirty working days of receipt, will advise the complainant whether or not the complaint ~~warrants consideration~~ **will be further reviewed** by the Commission. If the Commission determines a complaint ~~warrants further consideration~~ **will be further reviewed**, the Commission will give the institution named in the complaint ~~an opportunity of 30 days~~ **sufficient opportunity** to respond to the complaint ~~or to a~~

~~summary of the complaint if the complainant requests confidentiality of identity or documents, before the Commission completes its review and makes a decision regarding about next steps regarding the complaint.~~

In accordance with Commission policies and procedures, Tthe Commission may require that the institution file a **further** follow-up. report or, upon approval by the Institutional Actions Council, may schedule a focused evaluation to the institution regarding issues raised by the complaint. In addition, the Commission President may schedule the institution for Special Monitoring. Such follow-up review may lead to sanction or withdrawal of accreditation following Commission policies and procedures related to such actions. The Commission reserves the right to reject any complaint that contains defamatory statements.

When the Commission receives a complaint(s) about an institution that has an impending site visit and that raises questions about the compliance of the institution with Commission requirements, it will **may also** forward the complaint(s), or a summary thereof, to the attention of the chair of the on-site team for consideration instead of, or in addition to, the any regular review the Commission might undertake regarding a **such** complaint(s). The team will notify the Commission staff of its findings, either in the team report or in a separate memo.

Other Information

In addition to pursuing complaints, the Commission may initiate ~~an inquiry~~ any of the procedures related to complaints in response to any information regarding an affiliated institution's ability to meet the Criteria or other Commission requirements ~~that gives reason to be concerned about the institution's meeting one or more of the Criteria for Accreditation.~~

Complaints Against the Commission

The Commission, aware of the value of information from the public, shall review complaints regarding the Commission in a timely, fair, and equitable manner. ~~To be considered as a formal complaint against~~ Complaints regarding the Commission, ~~a complaint~~ must involve issues broader than a concern about a specific institutional action or a specific on-site evaluation. ~~The document~~ and must state clearly the nature of the complaint, ~~and it must be signed.~~ The President, on behalf of the Commission, shall respond to each complaint made against the Commission within 30 days of receipt; report regularly to the Executive Committee and the Board of Trustees on the nature and disposition of complaints against the Commission; and compile annually a list, available to the public

on request that summarizes the complaints against the Commission and their dispositions. ~~Upon advice of counsel, †~~The Commission retains the right to withhold public disclosure of information regarding complaints if, in the Commission’s discretion, circumstances warrant. ~~if potential legal action is involved in the complaint.~~

Policy History

Last Revised: November 2012

First Adopted: August 1996, February 1996, June 2004

Revision History: February 1998, May 2002, October 2002, June 2008, February 2010, June 2012, November 2012

Notes: Policies combined in November 2012 – 13.1, 13.1(a), 13.1(b), 13.1(c), 13.2

Related Policies: