

Board Committee Hearing

As further detailed in the Higher Learning Commission (HLC) policy [Additional Board Procedures \(INST.E.70.010\)](#), HLC makes a Board Committee Hearing available to member institutions prior to its Board of Trustees taking certain actions regarding an institution's accreditation.

A Board Committee Hearing provides an opportunity for an institution to speak directly with a subcommittee of the Board prior to the full Board taking action. The hearing also provides an opportunity for the subcommittee to ask questions to clarify the record on which the full Board will be making its decision.

When a Hearing May Occur

HLC will make a Board Committee Hearing available to a member institution prior to a decision by the Board to do any of the following:

- Deny initial accreditation to an institution that has candidacy status, except where HLC is denying an application for early initial accreditation prior to the end of the institution's four-year term of candidacy with a possible extension for a fifth year for good cause.
- Withdraw candidacy, except where the withdrawal decision is related to a recommendation of the President regarding the Obligations of Membership, the institution ceasing to operate as an institution of higher education, or failing to maintain authorization to operate as an institution of higher education and grant degrees in HLC's jurisdiction.
- Withdraw accreditation except where the withdrawal decision is related to a recommendation of the President regarding the Obligations of Membership, the institution ceasing to operate as an institution of

higher education, or failing to maintain authorization to operate as an institution of higher education and grant degrees in HLC's jurisdiction.

- Conclude a Show-Cause Order process.

Details about the logistics for the Board Committee Hearing, including scheduling, timing and options for the institution to waive the hearing will be provided by HLC to the institution. An institution may only have one Board Committee Hearing related to a single institutional decision.

Hearing Fee

There is a fee established by the Board of Trustees for the Board Committee Hearing process. See HLC's [Dues and Fees Schedule](#).

The Board Committee

The committee for the hearing consists of three to five Board members, one of whom serves as chair. The committee will be selected by a vote of all Board members.

Hearing Attendees

Institutional Representatives

A delegation of individuals selected by an institution's chief executive officer (CEO) may represent the institution at the Board Committee Hearing. Such individuals should include the CEO and may also

include institutional faculty or staff, board members, consultants, and other institutional personnel who might have relevant information to provide to the committee. Institutions are encouraged to limit their delegation to no more than 5–7 individuals. All institutional representatives are expected to provide information to the committee (i.e., not merely observe the hearing).

The institution's legal counsel may attend the Board Committee Hearing as a representative of the institution and may speak on behalf of the institution when so recognized by the committee. The institution must notify HLC as soon as possible if it intends for one of its institutional representatives to be legal counsel. Other than during the hearing, institutional legal counsel is expected to communicate solely with legal counsel for HLC.

Peer Review Team and IAC Hearing Committee Representatives

If the institution has had an evaluation visit that led to the Board's upcoming action, a representative of the peer review team, typically the chair, may attend the hearing or be available to the committee at its discretion. Similarly, if the institution participated in an Institutional Actions Council (IAC) Hearing as a part of the process that led to the Board's upcoming action, a representative of the IAC Hearing Committee, typically the chair, may attend the hearing or be available to the committee at its discretion.

Hearing Materials

HLC will provide the committee with relevant documents prior to the hearing. These documents typically include, but are not limited to, as applicable: relevant Board action letters, evaluative materials provided by the institution, team reports, IAC Hearing reports and institutional responses.

Institutional and other representatives will confine their information and responses to oral presentation only at the Hearing. No new documentation shall be provided at the Hearing and no audiovisual presentations shall be permitted.

Hearing Procedures

At the outset of the Board Committee Hearing, the chair will outline the purpose of the hearing and how it will be conducted. The CEO of the institution will make an opening statement of no more than 20 minutes. Any peer review team and IAC representatives may be invited to make an opening statement of no more than 10 minutes each.

The committee will ask questions of the institution, team and IAC representatives. While the institution will primarily be represented by its CEO, the CEO may ask other members of the institutional delegation who have relevant information to participate in the opening statement and to respond to follow-up questions. The committee may also direct specific questions to any participant based on their area of responsibility during the hearing. No peer review team member nor IAC representative may address questions to the institutional delegation.

The CEO of the institution will make a brief closing statement, as will any team and IAC representatives.

Specific time periods for each part of the hearing after opening statements are subject to the discretion of the committee. The hearing will be approximately two hours in length. At the conclusion of the hearing, the chair will dismiss the participants. The hearing will be closed to the public.

Transcription

HLC will arrange for the Board Committee Hearing to be transcribed. There will be no recording of the hearing other than what may be required to complete the transcript, which will then be destroyed. The transcript of the hearing will be provided to the institution and the full Board following the hearing.

Submission of Additional Written Materials

Following the hearing, the institution will be given the opportunity to provide additional written materials in response to the hearing for the Board's consideration according to a timeline provided by HLC.

Outcome of the Hearing

The committee does not make findings of fact or recommendations. It does not issue an evaluative report. The transcript and any additional materials submitted by the institution following the hearing are provided to the Board. The members of the committee will be available to answer questions from other members of the Board, and will participate as Board members in the discussion prior to the Board voting on the related action. The full Board, not the committee, will take action regarding the institution.

Within two weeks of the Board action, HLC will send the institution an action letter that relays the Board's decision. If the Board takes an adverse action, as defined by HLC policy, the institution may appeal the action prior to it becoming final by filing a written request to appeal following HLC's [appeals procedures](#).



Questions?

Contact legalaffairs@hlcommission.org