

Administrative Probation

Proposed 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 February 27, 2025.

Background

The proposed policy changes would clarify the purpose of and process for Administrative Probation.

If an institution does not meet HLC’s Obligations of Membership, it may be subject to Administrative Probation. Administrative Probation is not a sanction. Rather, Administrative Probation attaches to an institution’s accreditation status and signifies that it is out of compliance with one or more Obligations of Membership.

The proposed changes would also clarify other aspects of the Obligations of Membership related to Public Disclosure Notices and Public Statements, as well as expectations for institutions to clearly portray to the public all aspects of its accreditation status with HLC.

Comments Invited

HLC invites comments on this change before the Board takes final action at its meeting on June 26-27, 2025. Comments can be sent to policycomments@hlcommission.org. Comments are due by May 12, 2025.

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**). Wording that was moved is shown with a double underline in its new location (moved to) and a double strikethrough in its previous location (~~~~moved from~~~~).

Policy Title: Obligations of Membership

Number: CRRT.D.10.010

While seeking and holding membership with HLC, an institution voluntarily agrees to meet obligations set forth by HLC as follows:

1. The institution participates in periodic evaluation through the structures and mechanisms set forth in HLC policies, submission of reports as requested by HLC, filing of the Institutional Update, and any other requirements set forth in its policies.
2. The institution regularly reviews current HLC policies and procedures. It adheres to such policies and procedures in good faith.
3. The institution designates an Accreditation Liaison Officer in accordance with HLC requirements.
4. The institution is candid, transparent, and forthcoming in its dealings with HLC, including cooperating with all requests for information from HLC.
5. The institution notifies HLC of any condition or situation that has the potential to affect the institution's status with HLC, such as a significant reduction in program offerings, potential institutional closure or serious legal investigation (including, but not limited to, conditions or situations included in HLC's policy on special monitoring).
6. As further defined and explained in HLC policy, the institution informs HLC of its relationship with any related entity wherein institutional decision-making is controlled by that entity and of any changes in that relationship that may affect the institution's compliance with HLC accreditation requirements.
7. The institution describes itself in identical terms to HLC and to any other recognized accreditor or regulatory body with which it holds or seeks membership with regard to purpose, operating authority, governance, programs, locations, degrees, diplomas, certificates, personnel, finances, and constituents.
8. The institution notifies HLC when it receives a pending or final adverse action from or has been placed on sanction by any other recognized accreditor; if a state has issued a pending or final action that affects the institution's legal status or authority to grant degrees; if it is placed on, or removed from, a provisional certification for participation in Title IV by the U.S. Department of Education; or if it is placed on, or removed from, the Reimbursement payment method or the Heightened Cash Monitoring 2 payment method by the U.S. Department of Education.
9. The institution notifies its constituents when it receives a pending or final adverse action from or has been placed on sanction by any other recognized accreditor or if a state has issued a pending or final action that affects the institution's legal status or authority to grant degrees.

10. The institution notifies applicable constituents whenever HLC has required it to submit a Provisional Plan for approval, and provides an accurate explanation as to the rationale for that Provisional Plan.
11. The institution accepts that HLC will, in the interest of transparency to the public, publish outcomes from its accreditation process in accordance with HLC policy, **which may include Public Disclosure Notices or Public Statements.**
12. The institution portrays **all aspects** of its accreditation status with HLC clearly to the public, including the **accreditation** status of ~~its~~ **any additional locations**, branch campuses, **components** and related entities. The institution posts ~~the electronic version of~~ HLC's Mark of Accreditation Status in at least one place on its website, linking users directly to the institution's status on HLC's website.
13. **If required to do so by HLC,** ~~the institution provides its~~ **makes available to applicable** constituents ~~and applicants with any~~ **a Public Disclosure Notice or Public Statement issued by HLC** it receives from HLC and accurately communicates the significance of, and underlying reasons for, such ~~Public Disclosure Notice or Public Statement~~ as required by HLC.
14. The institution maintains prominently on its website a telephone number that includes an option for both current students and the public to speak with a representative of the institution.
15. The institution ensures that any information submitted to HLC generally will not include unredacted personally identifiable information (PII). If the institution submits information with unredacted PII because it is necessary for evaluative purposes or otherwise, it will clearly identify the information as such, if applicable.
16. The institution submits timely payment of dues and fees in accordance with the published Dues and Fees Schedule and accepts the fact of surcharges for late payment.
17. Prior to taking legal action against HLC, the institution agrees to submit to initial arbitration any dispute it may raise regarding an adverse action as such term is defined in HLC policy and that it is not able to resolve through HLC's processes.
18. The institution agrees that in the event it, or any third party, takes legal action against HLC related to any accreditation action or makes any legal inquiries of HLC related to the institution, the institution shall, to the extent allowed by law, be responsible for all expenses, including but

not limited to attorneys' fees, expert witness, and related fees, incurred by HLC in responding to such legal inquiries and/or defending the action.

~~Meeting Obligations of Membership~~ Administrative Probation

~~Institutions~~ **An institution** must remain in compliance with the Obligations of Membership at all times. **An institution that is out of compliance with the Obligations of Membership may be subject to Administrative Probation. Administrative Probation is not a sanction. Rather, Administrative Probation attaches to an institution's accreditation status. This status indicates that an accredited institution is no longer in compliance with one or more Obligations of Membership. The institution remains accredited while it is on Administrative Probation.**

~~The HLC President shall make a final determination as to whether an institution is in violation of the Obligations of Membership such that Administrative Probation should be imposed.~~ HLC may make use of any reasonable means to determine whether ~~the an~~ **an institution has violated an is out of compliance with the** Obligations of Membership including, but not limited to, seeking written information from the institution or scheduling one or more peer reviewers or staff members to meet with one or more institutional representatives either on-campus or through other appropriate method.

~~Administrative Probation~~

HLC staff or peer reviewer(s) may recommend an institution for Administrative Probation. Such recommendation shall be made to the ~~HLC P~~ **HLC President**, ~~in writing and i~~ **Information** about such recommendation shall be provided to the institution for an institutional response. The institution shall have a minimum of 14 days to respond in writing to the recommendation. The ~~HLC P~~ **HLC President** shall then review the recommendation and the institution's response and make ~~the decision~~ **a determination whether an institution is out of compliance with the Obligations of Membership and, if so,** whether to impose Administrative Probation.

~~If the institution's response is unsatisfactory, t~~ ~~The HLC P~~ **HLC President shall may** place ~~the an~~ **an institution** on Administrative Probation for a period not to exceed ~~ninety~~ **90** days. The ~~HLC P~~ **HLC President** will notify the institution ~~in writing~~ **in writing** of the imposition of the Administrative Probation and the conditions for its removal ~~in writing~~.

~~During the ninety-day time period~~ **While on Administrative Probation**, the institution will be expected to remedy the situation that led to the imposition of Administrative Probation. At the end of the ~~ninety-day~~ **Administrative Probation** period, the institution shall provide evidence that it has remedied the conditions leading to Administrative Probation ~~to the President~~. Such evidence may be reviewed directly by HLC

Staff; or peer reviewers as necessary to confirm the institution's compliance. Upon such validation, the HLC President shall remove Administrative Probation.

If an institution fails to remedy the situation that led to Administrative Probation by the end of the ~~ninety-day~~ **Administrative Probation** period, the HLC President ~~shall~~ **may** take a recommendation concerning the institution to a decision-making body. Depending on the nature and the severity of the circumstances, such recommendation may involve **any action in accordance with HLC policies and procedures, including, but not limited to,** a change in the institution's Pathway for Reaffirmation of Accreditation at the time of its next comprehensive evaluation, removal from the Notification Program for Additional Locations, ~~interim~~ **routine** monitoring ~~on the underlying issue that led to Administrative Probation,~~ the application of a sanction, the issuance of a Show-Cause Order or the withdrawal of accreditation, ~~in accordance with HLC policies and procedures.~~

Public Disclosure of Administrative Probation

Information about the assignment of Administrative Probation is noted will be published in a Public Disclosure Notice on an institution's Statement of Accreditation Status ~~along with the reason for the Administrative Probation until its removal.~~

Policy Title: Notice of Accreditation Actions, HLC Public Notices and Public Statements
Number: COMM.A.10.010

HLC shall have the authority to make specific disclosures to the public, state higher education agencies, the U.S. Department of Education and recognized accreditors regarding member institutions or applying institutions as outlined below. HLC shall provide notification to the affected institution about the disclosure prior to, or simultaneous to, the time the disclosure is made, as determined by HLC.

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Public Disclosure Notices (PDNs). HLC will issue a Public Disclosure Notice (PDN) regarding the following actions:

1. Adverse action (denial or withdrawal of accreditation or candidacy);
2. Sanction (placing an institution on sanction, extending a sanction or removing an institution from a sanction);
3. Show-Cause Order (issuing or removing a Show-Cause Order);

4. Denial of an application for Change of Control, Structure or Organization;
5. Institutional designations (imposing an institutional designation); ~~and~~
6. **Administrative Probation (imposing Administrative Probation); and**
- ~~6-7.~~ 7. Voluntary resignation of accreditation or candidacy.

The PDN shall contain information about the action, the findings of the Board associated with the action, or, for an institutional designation pursuant to the Special Monitoring policy, the findings of HLC's President when the designation was imposed, and the availability of appeal, if any.

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