



CLARIFICATION REGARDING “DAYS”

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 23, 2022.

Background

HLC policy sets forth various time-based requirements across the spectrum of its activities. Such requirements include, but are not limited to, those related to an institution’s submission of documentation, HLC review of certain materials, HLC notification requirements, and institutional responses. However, current HLC policy does not define time-based requirements in a consistent manner. For example, current policies refer to “calendar days,” “business days,” or “working days.”

The proposed policy changes would implement a consistent use of the term “days” to signify calendar days. In those rare instances where a different use is required, for example, by regulation, these instances will be stated in the applicable policy as “business days.” This is typical in instances where the requirement is tied to a federal regulation. The proposed changes also eliminate references to “weeks” in favor of the appropriate number of days where applicable.

If adopted, these policy revisions will be accompanied by the addition of a glossary definition for “day” that makes these connotations clear to the membership.

Comments Invited

HLC invites comments on this change before the Board takes final action at its meeting on November 3–4, 2022. Comments can be sent to policycomments@hlcommission.org. Comments are due by September 19, 2022.

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: Change of Control, Structure or Organization

Number: INST.B.20.040

...

Change of Control, Structure, or Organization Without Prior HLC Approval

... Prior to any decision-making body's review, the institution will be informed about the President's recommendation and will have at least 14 ~~calendar~~ days to prepare and submit a response that the Board or Institutional Actions Council, as applicable, will have available when it considers the President's recommendation. ...

Policy Title: Obligations of Membership

Number: INST.B.30.020

...

Administrative Probation

HLC staff or peer reviewer(s) may recommend an institution for Administrative Probation. Such recommendation shall be made to the President in writing and information about such recommendation shall be provided to the institution for an institutional response. The institution shall have a minimum of ~~two weeks~~ 14 days to respond in writing to the recommendation. ...

Policy Title: Evaluative Activities Applicable to All Institutions

Number: INST.C.20.010

...

Institutional Responses to Recommendations

An institution shall have the opportunity to provide a written response to the team report for a comprehensive evaluation or Assurance Review following HLC policies for the provision of institutional responses. In all cases, an institution shall have at least ~~two weeks~~ 14 days to prepare and submit an institutional response to the team report prior to review and action through HLC’s decision-making processes. ...

Policy Title: Board of Trustees

Number: INST.D.10.010

...

Process for Amending or Modifying Prior Board Action

... The institution shall have a minimum of ~~two weeks~~ 14 days to respond. ...

Policy Title: Notice

Number: INST.E.10.010

...

Process for Imposing or Removing Notice

... In all cases, the Board of Trustees will act on a recommendation for Notice only if the institution’s chief executive officer has been given an opportunity of at least ~~two (2) weeks~~ 14 days to place before the Board of Trustees a written response to the recommendation. ...

Policy Title: Probation
Number: INST.E.20.010

...

Process for Imposing or Removing Probation

... In all cases, the Board of Trustees will act on a recommendation for Probation only if the institution's chief executive officer has been given an opportunity of at least ~~two (2) weeks~~ **14 days** to place before the Board of Trustees a written response to the recommendation. ...

Institutional Responses to Recommendations Arising From Comprehensive Evaluations During Probation. An institution shall have the opportunity to provide a written response to the written report of a comprehensive evaluation conducted during the probationary period following HLC policies for the provision of institutional responses. An institution shall have at least ~~two weeks~~ **14 days** to prepare and submit an institutional response to the team report prior to review and action through HLC's decision-making processes.

...

Policy Title: Show-Cause (Procedural Order)
Number: INST.E.30.010

...

Process for Imposing or Removing a Show-Cause Order

... In all cases, the Board of Trustees will act at the conclusion of a Show-Cause process only if the institution's chief executive officer has been given opportunity of at least ~~two (2) weeks~~ **14 days** to place before the Board of Trustees a written response to the Show-Cause Report and any other information arising in the Show-Cause process. ...

Institutional Responses to the Show-Cause Evaluation Visit Report

An institution shall have the opportunity to provide a written response to the written report of a Show-Cause evaluation following HLC policies for the provision of institutional responses. An institution shall have at least ~~two (2) weeks~~ **14 days** to prepare and submit an institutional response to the team report prior to review and action through HLC's decision-making processes. ...

Policy Title: Special Monitoring

Number: INST.F.20.010

...

Any action proposed by the President will be shared with the institution for response at least ~~two weeks~~ 14 days prior to the intended date of deliberation and decision. ...

Process for Imposing or Removing a Designation

HLC's President will notify the institution of the intent to designate the institution in one of the above categories and will allow the institution a minimum of ~~two weeks~~ 14 days to respond before acting with regard to the proposed designation. ...

Policy Title: Processes for Seeking Approval of Change of Control

Number: INST.F.20.070

...

The Board may approve the application subject to certain conditions. Such conditions may include, but are not limited to, limitations on new educational programs, student enrollment growth, development of new campuses or sites, etc. Related to these conditions, the Board may require that it review and approve certain changes at the institution prior to their inception. The institution and other parties involved in the transaction have 14 ~~calendar~~ days after receiving the Board's action letter to indicate in writing the acceptance of these conditions. ...

Other Board Options

The Board may act, prior to approving the proposed Change of Control, to require additional review through the Eligibility Process or through a Fact-Finding Review, which may be an additional such Review, conducted by peer reviewers or by other higher education, legal or accounting professionals. The review shall be conducted within sixty days of the Board's action requiring such review, and the results shall be available to the Board at its next regularly scheduled or special meeting. The institution will have seven ~~working~~ days to respond to the report prepared for the Board prior to the Board's meeting. ...

Policy Title: Complaints and Other Information Regarding Member Institutions

Number: COMM.A.10.030

...

Contents, Presentations, and Processing. HLC will not generally review complaints that concern facts or circumstances that took place more than two years from the date the complaint was received by HLC. All complaints must be submitted according to HLC procedures. HLC will acknowledge a complaint promptly and, within thirty ~~working~~ days of receipt, will advise the complainant whether or not the complaint will be further reviewed by HLC. ...