



STAFF AUTHORITY

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 November 5–6, 2020.

Background

The proposed policy revisions are intended to promote the transparency and integrity of HLC’s processes while clarifying the role of HLC staff. The changes would consolidate several policies to create a primary location within HLC’s Policy Book for substantial content relating to staff authority. Specifically, the proposed revisions would:

1. Delete in its entirety HLC’s Staff Actions and Recommendations policy.
2. Introduce, per revised federal regulations, the authority of staff to potentially approve the addition of a permanent location at a site at which the institution is conducting a teach-out for students of another institution that has ceased operating before all students have completed their program of study.
3. Clarify the ability of staff to review and approve the participation of teach-out receiving institutions under specific circumstances.
4. Clarify various aspects of the HLC President’s authority that go beyond authority granted to other staff, including acting to assign routine monitoring without first seeking Institutional Actions Council approval immediately following the conclusion of a special monitoring protocol and recommending the imposition of a sanction or issuance of a Show-Cause order directly to the Board based on verified evidence.
5. Clarify the potential for the President’s authority to be temporarily expanded by the Board under extraordinary circumstances consistent with HLC policy and federal regulations.

Comments Invited

HLC invites comments on this change before the Board takes final action at its meeting on February 25–26, 2020. Comments can be sent to policycomments@hlcommission.org. Comments are due by January 18, 2021.

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: ~~Staff Actions and Recommendations~~

Number: ~~INST.D.30.010~~

~~As defined in Commission policy, the staff may act to change an institution's Statement of Accreditation Status or recommend directly to the Institutional Actions Council that a change in the Statement of Accreditation Status be approved. The Commission's President also has additional authority as defined in the policy on Special Monitoring.~~

~~Staff may act to approve the following: editing of the Statement of Affiliation with non-substantive amendments; changing the date of upcoming evaluations or filing of reports by no more than one year and not to exceed the maximum timeframe for evaluation visits provided in Commission policy; approving progress and monitoring reports or requiring follow-up reports on the same or related topics; and removing an institution from notification for approval of additional locations.~~

~~Staff may recommend to the Institutional Actions Council for review and action the following: substantive amendments to the Statement of Accreditation Status including modifications to the Stipulations section; changing the date of upcoming evaluations or filing of reports by more than one year or beyond the maximum ten years required for a comprehensive evaluation; and new requirements for monitoring.~~

Policy Number Key

Section INST: Institutional Processes

Chapter D: Decision Making Bodies and Processes

Part 30: Staff Actions and Recommendations

Last Revised: August 2016

First Adopted: November 1998, February 2007, February 2002, June 2011

Revision History: revised June 2008, February 2009, June 2009, June 2011, August 2016

Notes: Policies combined November 2012 – 2.2(f), 2.2(f)1, 2.2(b)

Related Policies: INST.F.10.010 Routine Monitoring, INST.E.00.000 Chapter E: Sanctions, Adverse Actions, and Appeals

Policy Title: ~~Staff Authority for Minor Changes Related to an Institution's Relationship With the Commission~~

Number: COMM.B.10.020

Staff Authority for Minor Changes Related to an Institution's Relationship With HLC

~~Commission~~ HLC staff may act to change an institution's Statement of Accreditation Status or recommend directly to the Institutional Actions Council that a change in the Statement of Accreditation Status be approved.

Staff may act to approve the following changes:

1. editing of the Statement of Accreditation Status with non-substantive amendments;
2. changing the date of upcoming evaluations or filing of reports by no more than one year and not to exceed the maximum timeframe for evaluation visits provided in ~~Commission~~ HLC policy;
3. approving ~~progress and monitoring~~ **interim** reports or requiring follow-up reports on the same or related topics; and
4. removing an institution from notification for approval of additional locations.

Staff may recommend to the Institutional Actions Council for review and action the following: substantive amendments to the Statement of Accreditation Status including modifications to the Stipulations section; changing the date of upcoming evaluations or filing of reports by more than one year or beyond the maximum ten years required for a comprehensive evaluation; and new requirements for monitoring.

Staff Authority to Approve Substantive Changes

Staff may act, without first seeking approval of the Institutional Actions Council, to approve the addition of a permanent location at a site at which the institution is conducting a teach-out for students of another institution that has ceased operating before all students have completed their program of study.

Staff Authority to Approve Teach-Out Receiving Institutions

HLC staff may act to approve the participation of additional teach-out receiving institutions in a teach-out arrangement after IAC approval of the subject Provisional Plan, or the participation of an HLC member as a teach-out receiving institution in a teach-out arrangement required by a non-HLC institution.

President's Authority

The President of the Higher Learning Commission has additional authority beyond that afforded staff under these policies as delineated by the Board. ~~In addition, ¶The President of the Commission~~ HLC may act to terminate, postpone or cancel a visit in extraordinary circumstances. The President may approve the presence of observers on an evaluation team or other ~~Commission~~ HLC activity. ~~The President may make a recommendation to the Institutional Actions Council for routine monitoring following HLC policies for these actions.~~ The President may schedule Special Monitoring for an institution consistent with HLC policy and may act, without first seeking approval of the Institutional Actions Council, to require routine monitoring immediately following the conclusion of any related process conducted under policies related to Special Monitoring, ~~or make a recommendation to the Board for sanction, the issuance of a Show-Cause Order, or withdrawal of accreditation or to the Institutional Actions Council for monitoring following Commission policies for these actions.~~ The President may make a recommendation to the Board for the imposition of a sanction, the extension of a sanction, the issuance of a Show-Cause Order, or withdrawal of candidacy or accreditation based on verified evidence supporting such recommendations under these policies. Finally, the President's authority may be temporarily expanded by the Board under extraordinary circumstances in a manner consistent with these policies and federal regulations.

Policy Number Key

Section COMM: Commission Obligations

Chapter B: Commission Staff

Part 10: General

Last Revised: June 2020

First Adopted: June 2011

Revision History: November 2012, June 2020

Notes: Former policy number 2.2(h)

Related Policies: INST.F.20.030 Non-Substantive Changes in the Accreditation Relationship Between an Institution and the Commission, INST.E.00.000 Sanctions, Adverse Actions, and Appeals

Policy Title: Non-substantive Changes in the Accreditation Relationship Between an Institution and ~~the Commission~~ HLC

Number: INST.F.20.030

~~The Commission~~ HLC may request or ~~Commission~~ HLC staff may initiate non-substantive changes in the terms of ~~the Commission's~~ HLC's relationship with the institution as outlined in the Statement of Accreditation Status. ~~Commission~~ HLC approval is required to change the terms of the accreditation relationship with an institution in any of the following ways:

1. Change existing stipulations **in a manner consistent with a proposed change requiring prior approval by a decision-making body of HLC.** ~~or other language, not related to monitoring or the next comprehensive evaluation, within the institution's current Statement of Accreditation Status. (Commission staff may approve editing of the Statement of Accreditation Status. However, requests for substantive modification, including new language not previously in the document, must be referred to the Institutional Actions Council for action.)~~
2. Change the date of the next comprehensive evaluation or Assurance ~~Review~~:
 - Changes of no more than one year from the date set by the last action following an evaluation process. (~~Commission~~ HLC staff may approve the change unless the one-year extension places an institution's comprehensive evaluation beyond the ten years required by ~~Commission~~ HLC policy.
 - Changes of more than one year from the date set by the last action following an evaluation process or beyond the ten-year maximum for comprehensive evaluations. Extensions of more than one year and extensions beyond ten years may be granted only for good cause. (Institutional Actions Council must act to approve all such changes.)
3. Change the date of other visits or required reports or other ~~Commission~~ HLC monitoring or interaction previously scheduled for the institution, including accepting required progress or monitoring reports or scheduling follow-up reports on the same or related topics. (~~Commission~~ HLC staff may approve the change).
4. Require new monitoring be added to the Statement of Accreditation Status. (~~Commission~~ HLC staff may make a recommendation for action to the Institutional Actions Council to approve the change, **except that the President may act, without first seeking approval of the Institutional Actions Council, to require routine monitoring immediately following the conclusion of any special**

monitoring process conducted under INST.F.20.010 Special Monitoring
[<https://www.hlcommission.org/Policies/special-monitoring.html>].)

5. Remove an institution from an expedited review process for approval of new additional locations the **Notification Program for Additional Locations**. (Commission HLC staff may approve removal.)

Process for Initiating a Non-substantive Change in the Relationship With ~~the Commission~~ HLC

The institution may file a written application seeking a change in its relationship with ~~the Commission~~ HLC in any of the ways defined above. Alternatively, ~~Commission~~ HLC staff may propose such a change and will provide the proposed action or recommendation in writing to the institution for comment. The institution will be provided an opportunity to respond in writing to any change in relationship with ~~the Commission~~ HLC arising from its own application or at the initiative of ~~the Commission~~ HLC. ~~The Commission~~ Where such action is unfavorable to the institution, HLC will consider the institution's response prior to completing any staff action or action by the IAC.

Policy Number Key

Section INST: Institutional Processes

Chapter F: Maintenance and Monitoring

Part 20: Intermittent Monitoring

Last Revised: June 2012

First Adopted: November 1999, June 2010

Revision History: November 1999, June 2009, June 2011, June 2012

Notes: Policies combined November 2012 – 3.1, 3.1(a)

Related Policies: INST.B.20.030 Accreditation