



EXPANSION OF JURISDICTION

Bylaw Change Approved on First Reading

The Higher Learning Commission (HLC) Board of Trustees (“the Board”) approved this bylaw on first reading at its meeting on February 25–26, 2021.

Background

Federal regulations that went into effect on July 1, 2020, indicated that the U.S. Department of Education would no longer limit historically regional accreditors’ geographic area of accrediting activities to a federally designated region. This change allows historically regional accreditors, including HLC, to independently choose to expand their individual jurisdictions to operate on a larger geographic scale.

The proposed bylaw change would extend HLC’s jurisdiction for accreditation to institutions of higher education that are incorporated in, or operating under federal authority in, the United States; and that have a substantial presence, as defined in HLC policy, in the United States. The Board also approved on first reading related proposed policy changes regarding [jurisdiction](#) and an [accelerated process for achieving accreditation](#) for institutions with a proven history of quality assurance from a historically regional accreditor among other factors.

If the Board adopts the proposed changes on second reading at its June 2021 meeting, conforming changes will be made throughout HLC’s Bylaws and to related policies regarding jurisdiction.

For more information, see HLC’s [press release](#) on the proposed expansion of its jurisdiction.

Comments Invited

HLC invites comments on this change before the Board takes final action at its meeting on June 24–25, 2021. Comments can be sent to policycomments@hlcommission.org. Comments are due by May 21, 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**).

ARTICLE III: Jurisdiction of and Membership in **HLC** ~~the Commission~~

...

Section 2. Jurisdiction for Accreditation.

~~The Commission~~ **HLC** shall extend accreditation and candidacy for accreditation to higher education institutions (1) which are ~~1) registered to do business*~~ or incorporated in ~~Arizona, Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, New Mexico, North Dakota, Ohio, Oklahoma, South Dakota, West Virginia, Wisconsin, and Wyoming,~~ or operating under federal authority within, **the United States**; ~~these states, subject to provisions for application specified in Section 5 of this Article,~~ and (2) have substantial presence, as defined in Commission policy, in ~~these states~~ **the United States**.

*~~*See Section 4 of this Article.~~*

...

Section 4. ~~Application of Jurisdictional Requirements.~~

~~All institutions submitting Preliminary Information Forms or other documentation to establish eligibility for Commission evaluation on or after July 1, 2010 or having evaluation visits for initial candidacy in 2010-11 shall comply with jurisdictional requirements for incorporation and substantial presence in the region, as identified in Section 2 of this Article.~~

~~All institutions accredited by the Commission or a candidate for accreditation status on or after July 1, 2010 shall comply with substantial presence requirements no later than July 1, 2012 or at the time of evaluation for initial accreditation, whichever comes first. Institutions accredited by the Commission on July 1, 2010 shall be evaluated against this requirement at the time of the next comprehensive evaluation except where the Commission has information to indicate that an institution does not meet this requirement and initiates, subsequent to July 1, 2012, an inquiry to review jurisdiction.~~

~~All institutions accredited by the Commission or a candidate for accreditation status on July 1, 2010 shall be grandfathered from the requirement for incorporation in the region; such institutions known to be incorporated outside the region shall provide evidence of having registered within the region to do business no later than July 1, 2011.~~