



RECOGNIZED ACCREDITORS

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 4–5, 2021.

Background

Because HLC is recognized by both the U.S. Department of Education (“the Department”) and the Council for Higher Education Accreditation (CHEA), it is obligated in certain contexts to review and consider the actions of other accreditors recognized by those bodies and a member institution’s standing with such accreditors. Under the Higher Education Act of 1965, as amended, HLC also has a reporting requirement to the Department if another accreditor recognized by the Department takes certain actions with respect to a member institution.

With these proposed policy changes, HLC seeks to standardize the use of the phrase “recognized accreditor,” referring to those accreditors “recognized by either the U.S. Department of Education or the Council for Higher Education Accreditation.” The phrase “recognized accreditor” will be used as the sole phrase in all instances where HLC policy refers to those accreditors recognized by the Department or CHEA and will be included in HLC’s Glossary. In the few instances where a policy applies to only an action taken by another accreditor recognized by the Department, the proposed changes would explicitly state that in the policy. Where applicable, these changes also seek to clarify the types of accreditor actions subject to the respective policy.

Comments Invited

HLC invites comments on this change before the Board takes final action at its meeting on February 24–25, 2022. Comments can be sent to policycomments@hlcommission.org. Comments are due by February 7, 2022.

Proposed Changes

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: Eligibility Requirements

Number: CRRT.A.10.010

An institution must meet all Eligibility Requirements before it is granted candidate status or accredited status.

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18. Accreditation Record

~~The institution has not had its accreditation revoked and has not voluntarily withdrawn under a show-cause order or been under a sanction with another accrediting agency recognized by CHEA or USDE within the five years preceding the initiation of the Eligibility Process.~~ **Within the five years preceding the initiation of the process of seeking accreditation with HLC, the institution has not (a) been subject to a sanction or Show-Cause Order with another recognized accreditor; (b) has not been subject to an adverse action with another recognized accreditor; or (c) has not voluntarily resigned its status with another recognized accreditor while subject to (a) or (b).**

19. Good Faith and Planning to Achieve Accreditation

The board has authorized the institution to seek membership with HLC and indicated its intention, if a member of HLC, to accept the Obligations of Membership.

The institution has a realistic plan for achieving accreditation with HLC within the period of time set by HLC policy.

- a. If the institution offers programs that require ~~specialized accreditation or recognition from a~~ **recognized accreditor** in order for its students to be certified or sit for licensing examinations, it either has the appropriate accreditation or discloses publicly and clearly the consequences of the lack thereof. The institution always makes clear to students the distinction between ~~institutional, and specialized, or program accreditation,~~ **the various types of accreditation** and the **relationship** between licensure and ~~the~~ **these** various types of accreditation.
- b. If the institution is predominantly or solely a single-purpose institution in fields that require licensure for practice, it demonstrates that it is also accredited by or is actively in the process of applying to a

recognized ~~specialized accrediting agency~~ **accreditor** for each field, if such ~~agency~~ a **recognized accreditor** exists.

Policy Title: Assumed Practices

Number: CRRT.B.10.020

Foundational to the Criteria and Core Components is a set of practices shared by institutions of higher education in the United States. Unlike the Criteria for Accreditation, these Assumed Practices are (1) generally matters to be determined as facts, rather than matters requiring professional judgment and (2) not expected to vary by institutional mission or context. Every institution must be in compliance with all Assumed Practices at all times.

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C. Teaching and Learning: Evaluation and Improvement

1. Instructors (excluding for this requirement teaching assistants enrolled in a graduate program and supervised by faculty) have the authority for the assignment of grades. (This requirement allows for collective responsibility, as when a faculty committee has the authority to override a grade on appeal.)
2. The institution refrains from the transcription of credit from other institutions or providers that it will not apply to its own programs.
3. The institution has formal and current written agreements for managing any internships and clinical placements included in its programs.
4. A predominantly or solely single-purpose institution in fields that require licensure for practice is also accredited by or is actively in the process of applying to a **relevant accreditor** for each field, as **sufficient for licensure**, if such a ~~agency~~ **recognized accreditor** exists.
5. Instructors communicate course requirements to students in writing and in a timely manner.
6. Institutional data on assessment of student learning are accurate and address the full range of students who enroll.
7. Institutional data on student retention, persistence, and completion are accurate and address the full range of students who enroll.

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Policy Title: Standing with State and Other **Accreditors Agencies**

Number: FDCR.A.10.090

An institution has a responsibility to remain in good standing with each state in which it is authorized or licensed as well as with any other ~~institutional or programmatic accrediting agency~~ recognized **accreditor** by ~~the U.S. Department of Education~~ by which it is accredited or pre-accredited up to the point that it voluntarily withdraws from such relationships. An institution shall fairly represent to HLC and to the public its history ~~or current or previous~~ and status with other ~~institutional or programmatic accrediting bodies~~ **recognized accreditors** and with each state in which it is authorized or licensed. This obligation includes accurately disclosing when an action affecting its accreditation status has been taken by any other ~~institutional or programmatic accrediting bodies~~ **recognized accreditor**.

An institution shall disclose to HLC any pending or final state actions that affect the institution's legal status or authority to grant degrees or offer programs ~~and~~. **An institution shall also disclose to HLC any pending or final actions by an accrediting agency a recognized accreditor to withdraw accredited or pre-accredited status, or to impose a sanction, Show-Cause Order or deny an application for such status adverse action.** Such disclosure shall take place at the time of the action by the ~~other~~ **respective** entity and on HLC's Institutional Update as well as in preparation for a comprehensive evaluation by HLC.

HLC Review. If another ~~such accrediting agency~~ **recognized accreditor** or if a state has taken any of these actions, HLC will undertake a prompt review of the institution and the related action.

With regard to an applying institution, HLC, through its decision-making processes and subject to the limitations in the Eligibility Requirements, will carefully weigh these matters in reaching its own decision to grant candidacy or initial accreditation. If it chooses to grant candidacy or initial accreditation to ~~such~~ an institution **that has been subject to such an action by an accreditor recognized by the U.S. Department of Education**, it will provide the Secretary of Education a written explanation of why that action is appropriate within thirty days of taking the action.

With regard to an accredited institution, HLC will determine whether additional review or HLC action, including sanction or withdrawal of accreditation, is appropriate. HLC may undertake its review in any way provided for in HLC policy.

Policy Title: HLC Approval of Institutional Teach Out Arrangements

Number: FDCR.B.10.010

HLC approval of various aspects of an institution's teach-out arrangements shall be required when an institution must teach-out one or more students.

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HLC Requirements for Teach-Out Agreement

HLC may require that the institution required to submit a Provisional Plan under this policy submit one or more Teach-Out Agreements for HLC's review and approval in conjunction with such Provisional Plan if the institution must rely on the assistance of one or more institutions (each a teach-out receiving institution) to complete the Provisional Plan. A teach-out receiving institution must be accredited by an ~~agency~~ **accreditor** recognized by the U.S. Department of Education and, where appropriate, eligible for Title IV financial aid. The teach-out receiving institution must also: be approved by an appropriate state higher education **agency** and **appropriate recognized accreditor(s)** ~~accrediting agency~~ to offer the programs offered by the institution closing or suspending operations; have the necessary experience, resources and support services to provide an educational program that is of acceptable quality and reasonably similar in content, structure and scheduling to that provided by the institution closing or ceasing operations; demonstrate that it can provide students access to such programs and services without requiring them to move or travel substantial distances and; be stable, carrying out its mission and meeting all obligations to its existing students.

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HLC Approvals Related to Teach-Out

Where HLC is approving a teach-out plan for an academic program or where HLC is approving an institution's participation as a teach-out receiving institution, staff may act to review and provide approval; all other necessary approvals related to teach-out shall be provided by a decision-making body of HLC recognized by the U.S. Department of Education. If HLC approves a Provisional Plan or Teach-Out Agreement that includes a program accredited by a ~~specialized or professional~~ **recognized** accreditor, HLC shall notify that accreditor.

Institutional Closure Without Approved Provisional Plan or Teach-Out Agreement; Failure to Comply With Teach-Out Policy

In the event of an institutional closure without an approved Provisional Plan, HLC shall work with the U.S. Department of Education, the appropriate state agency, if any, and any applicable ~~programmatic~~ **recognized**

accreditor, in the event any member institution closes without a Provisional Plan approved by HLC, to the extent feasible, to assist students in finding reasonable opportunities to complete their education without additional charges.

An institution that does not close entirely, but that fails to comply with HLC Teach-out policy when otherwise required, may be subject to sanction for noncompliance with HLC requirements.

Policy Title: Candidacy and Initial Accreditation

Number: INST.B.20.020

An institution seeking accredited status with HLC through the Eligibility Process shall apply for and serve a period of candidacy. Such candidacy shall typically be for four years from the date action is taken to grant candidacy to the date action is taken to grant or deny accreditation, with a minimum candidacy period of at least two years (2 years), and not to exceed five years (5 years).

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Assurance Filing. An institution hosting a comprehensive evaluation for candidacy or initial accreditation shall submit the following:

1. evidence of meeting the Eligibility Requirements;
2. evidence of meeting the Assumed Practices;
3. for candidacy, evidence that the institution can reasonably meet the Criteria for Accreditation within the period of candidacy;
4. for initial accreditation, evidence that the institution meets the Criteria for Accreditation, which may include findings of met with concerns;
5. evidence of meeting the Federal Compliance Requirements;
6. branch campus evaluation information, if applicable; and
7. any addenda requested by the team during the evaluation process.

In addition, HLC shall supply information including, but not limited to, information from the Eligibility Process or accelerated process for initial accreditation in which the institution has engaged; official correspondence; public comments; previous evaluation team reports and action letters, if any; information

from the institution's accreditation file **regarding its standing** with other recognized **accreditors agencies**; and any other information HLC deems appropriate.

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Policy Title: Accelerated Process for Initial Accreditation

Number: INST.B.20.032

In some instances, institutions that meet the qualifications listed below may be eligible to apply for initial accreditation through an accelerated process.

The accelerated process is distinct from HLC's other processes for seeking accreditation. An institution participating in an accelerated process does not participate in the Eligibility Process. The institution does not hold candidacy status, and thus does not hold any status with HLC, prior to being granted initial accreditation.

Qualifications to Apply for Initial Accreditation Through the Accelerated Process

An institution must meet the following qualifications in order to apply for initial accreditation through the accelerated process:

1. The institution, in its current form, is currently institutionally accredited by an **accreditor agency** that is recognized by the U.S. Department of Education and that is historically known as a regional accreditor;
2. The institution, in its current form, has (a) been accredited by its current institutional **accreditor agency** for at least the past ten (10) years or (b) has undergone a reaffirmation of accreditation review with its current institutional **accreditor agency** in the past two (2) years that did not result in a sanction or other similar negative action; and
3. The institution, in its current form, has not been placed on a sanction, show-cause order, or other similar negative action with its current institutional **accreditor agency** for at least the past ten (10) years.

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Policy Title: Change of Control, Structure, or Organization

Number: INST.B.20.040

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The Board will not consider for approval any proposed Change of Control, Structure or Organization involving an institution that is under a sanction, Show-Cause Order or **adverse action from any other recognized accreditor** or loss of ~~status or~~ authorization from any ~~other recognized accrediting agency or~~ state entity or is under investigation by any state entity, or involving a buyer or investor who owns such an institution except as described in this policy. The Board will also not consider for approval any proposed Change of Control, Structure or Organization for an institution the Board has determined within the previous twelve months to merit withdrawal of accreditation, even if a formal action to withdraw accreditation has not yet taken place.

The Board will consider a Change of Control, Structure or Organization for a member institution on sanction or under a Show-Cause Order only if there is substantial evidence that the proposed transaction resolves the issues the institution must address during the sanction or Show-Cause period and the transaction otherwise meets each of the Approval Factors identified in this policy.

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Policy Title: Voluntary Resignation of Accreditation or Candidacy

Number: INST.B.30.010

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Within thirty (30) days of receiving notice of voluntary resignation, HLC issues a public disclosure notice that describes the resignation, including the effective date of the resignation, which is available to the public on HLC's website. Within ten (10) days HLC also notifies the U.S. Department of Education and the appropriate state agency and other recognized **accreditors agencies** regarding the resignation.

The institution must meet all Obligations of Membership until the resignation becomes effective. Voluntary resignation does not release an institution from past and current financial obligations to HLC.

After resignation, an institution is ineligible for membership for a period of one year. If an institution seeks accredited status with HLC following a resignation, it must reapply through the Eligibility Process.

Policy Title: Board of Trustees

Number: INST.D.10.010

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Deferral of Action by the Board of Trustees

The Board of Trustees may defer action on an institutional action in the following circumstances:

1. a state agency ~~or another recognized institutional accrediting agency~~ has provided official notice of potential suspension, revocation, or termination of legal authority to provide education or ~~accredited or pre-accredited status~~, or has denied or not approved an application for legal authority or **another recognized accreditor has provided official notice of potential sanction, Show-Cause Order, or adverse action or official notice of pending or final adverse action** ~~accredited or pre-accredited status prior to the action~~; or
2. evidence relevant to the action or the institution's compliance with the Criteria for Accreditation, Federal Compliance Requirements or other HLC policies may be required or anticipated within a specified period of time.

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Policy Title: Institutional Actions Council Processes

Number: INST.D.40.010

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Deferral of Action by the Institutional Actions Council

The Institutional Actions Council may defer action on an institutional action in the following circumstances:

1. a state agency ~~or another recognized institutional accrediting agency~~ has provided official notice of potential suspension, revocation, or termination of legal authority to provide education or ~~accredited or pre-accredited status~~, or has denied or not approved an application for legal authority or **another recognized accreditor has provided official notice of potential sanction, Show-Cause Order, or adverse action or official notice of pending or final adverse action** ~~accredited or pre-accredited status prior to the action~~; or

2. evidence relevant to the action or the institution's compliance with the Criteria for Accreditation, Federal Compliance Requirements or other HLC policies may be required or anticipated within a specified period of time.

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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~~ ~~agencies~~ 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.

Notification of Accrediting Actions. HLC shall ensure that it properly notifies the public, state higher education agencies, the U.S. Department of Education, and recognized ~~accreditors~~ ~~agencies~~ regarding HLC's accrediting actions.

All HLC actions will be provided to state higher education agencies, the U.S. Department of Education and recognized ~~accreditors~~ ~~agencies~~ within thirty (30) days of the action. This includes actions to reaffirm accreditation, grant or deny accreditation or candidacy, or approve or deny a substantive change, or approve the results of monitoring.

1. With regard to an action to place an institution on Notice or Probation, to extend Notice or Probation, to remove an institution from Notice or Probation, to issue a Show-Cause Order to an institution, or to remove a Show-Cause Order, HLC will provide notification of the action to applicable state higher education agencies, the U.S. Department of Education, and applicable recognized ~~accreditors~~ ~~agencies~~ simultaneously with the action being communicated to the institution, and not later than thirty (30) days after the action, and will provide notification to the public within one (1) business day of notice being provided to the institution.
2. With regard to an action to deny or withdraw accreditation or candidacy, HLC will provide notification of the action to applicable state higher education agencies, the U.S. Department of Education, and applicable recognized ~~accreditors~~ ~~agencies~~ simultaneously with the action being communicated to the institution, and not later than thirty (30) days after the action, and will provide notification to the public within one (1) business day of notice being provided to the institution.

3. With regard to a decision by an institution to voluntarily resign accreditation or candidacy, HLC will provide notification of the action to state higher education agencies, the U.S. Department of Education, and recognized **accreditors agencies** within ten (10) days of receipt of notice of voluntary resignation as required by policy, and will provide notification to the public within one (1) business day of notifying the institution that the voluntary resignation has been accepted, but not more than thirty (30) days.
4. With regard to an action to approve a Provisional Plan, HLC will provide notification to recognized **accreditors agencies** of approval of the plan not later than thirty (30) days after the action if the teach-out includes a program accredited by such agency.

Such notification shall take place for the public through a Public Disclosure Notice (PDN) on HLC's website, and for state higher education agencies, the U.S. Department of Education and recognized **accreditors agencies** through electronic or other communication.

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Policy Title: Obligations of Membership

Number: INST.B.30.020

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

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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 and its constituents when it receives a **pending or final** adverse action from or has been placed on sanction by any other **recognized accreditor agency** or if a state has issued a pending or final action that affects the institution's legal status or authority to grant degrees.

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Policy Title: Relations With Other Recognized **Accreditors Agencies**

Number: COMM.C.10.020

Notification of Actions and Other Institutional Information. HLC will notify other recognized accreditors of accreditation actions taken by HLC's Board of Trustees in accordance with the requirements set forth in the Notice of Accreditation Actions, Public Notices, and Public Statements policy.

Other Information Provided to Recognized Accrediting Agencies. If another recognized accreditor seeks written or other information about a current or previous member institution, or about an institution that has previously sought status with HLC, HLC may, in its discretion, forward that information to the other **recognized** accreditor after receiving a written request. HLC may, but is not required to, consult with or otherwise inform the member institution regarding the request.

Consideration for the Accreditation Decisions of and Information Provided by Other Recognized Accrediting Agencies. HLC will base its accreditation decisions on its own requirements, policies and procedures.

However, in determining whether an institution meets HLC requirements, HLC may consider the reports, action letters and information of other recognized **accreditors agencies** previously or currently associated with the institution, with specific attention to any adverse, probationary or show-cause actions. HLC also requires that institutions disclose such information to HLC as required by the Obligations of Membership. HLC may request information directly from a recognized **accreditor agency** and include such information for review by an evaluation team considering an accrediting action.

In considering a substantive change HLC may request information from an institution regarding its other accreditations or may request it directly from the **recognized accreditor agency** and take it into account in the accrediting action.

If another **accreditor agency** recognized by the U.S. Department of Education has denied or withdrawn accreditation or pre-accreditation or placed the institution on sanction, HLC, through its decision-making processes and subject to its requirements, will carefully weigh these matters in reaching its own decision to grant or reaffirm accredited or candidate status. If it chooses to grant or reaffirm accredited or candidate status to such an institution, it will provide the U.S. Secretary of Education a written explanation within thirty (30) days of taking action of why the issues that led to the action by the other **accreditor agency** did not preclude HLC from reaching its decision.

Concurrent Visits With Other Recognized Accrediting Agencies Accreditors. If initiated by a member institution, HLC may conduct a visit concurrently with another recognized **accreditor agency**. While the teams of the participating agencies may coordinate their activities on campus, including information gathering, representatives of other recognized accreditors shall not participate in HLC team deliberations, and any production of a team report will be done separately by each **accreditor agency**.