



PROVISIONAL PLANS AND TEACH OUTS

Information for Institutions and Peer Reviewers

HLC has a responsibility to students and the public to ensure that there are arrangements in place to assist students in the event that an institution ceases operations, whether temporarily or permanently, or takes any other step that triggers teach-out requirements articulated in HLC policy. All institutions are required to review [HLC policy related to Teach Out](#).

When teach-out requirements are triggered, an institution must submit and gain approval of a provisional plan. The provisional plan may need to include one or more teach-out agreements with other institutions. This procedure includes information for institutions that must file a provisional plan and for institutions receiving teach-out students through a teach-out agreement.



Pages 1-7 provide the **requirements and approvals** for HLC member institutions participating in a teach out.

Pages 8 – 12 provide **explanations** of requirements, **recommendations** for good practice, and information that will support institutions working to assist students involved in a teach out.

DEFINITIONS

Effective July 1, 2020, the federal regulations will include defined terms related to teach outs. HLC has established its own terms and definitions to more comprehensively incorporate the scope of HLC's membership. Those definitions and HLC's corresponding terms are:

Teach out: Federal regulation defines teach out as a process during which a program, institution, or institutional location that provides 100 percent of at least one program engages in an orderly closure or when, following the closure of an institution or campus, another institution provides an opportunity for the students of the closed school to complete their program, regardless of their academic progress at the time of closure.

HLC uses the term **teach-out arrangement** to refer to all teach outs, whether or not such arrangements require the participation of institutions other than the institution that is planning to close, or to close an additional location offering 100 percent of at least one program, or to discontinue an academic program before all students have had an opportunity to complete their studies.

Teach-out agreement: Federal regulation defines a teach-out agreement as a written agreement between institutions that provides for the equitable treatment of students and a reasonable opportunity for students to complete their program of study if an

institution, or an institutional location that provides 100 percent of at least one program offered, ceases to operate or plans to cease operations before all enrolled students have completed their program of study.

HLC also uses the term **teach-out agreement** to refer to written agreements that may be made between the institution subject to teach-out requirements and each institution identified in the provisional plan (see definition below) as a teach-out receiving institution. The teach-out agreement is a formal, legal agreement with the teach-out receiving institution. Teach-out agreements must contain certain requirement elements as described on page 6 in order to be approved by HLC.

(Teach-out agreements are not required of institutions serving exclusively as transfer options for students affected by institutional closures.)

Finally, because institutions can teach out their own students under some Provisional Plans, including prior to discontinuing an academic program, closing an additional location offering 100 percent of at least one program, or closing entirely, teach-out agreements are not a required feature of every teach-out arrangement.

Teach-out plan: Federal regulation defines a teach-out plan as a written plan developed by an institution that provides for the equitable treatment of students if an institution, or an institutional location that provides 100 percent of at least one program, ceases to operate or plans to cease operations before all enrolled students have completed their program of study.

HLC uses the term **provisional plan** to refer to all teach-out plans. Provisional plans detail the arrangements an institution makes for students when it intends to cease operating as an educational institution or when other circumstances are present that require a teach-out arrangement. Whether the institution is closing entirely or closing campus(es) or additional location(s), if it has students pursuing academic programs who will not conclude their programs prior to the closure date, then the provisional plan will need to include arrangements for teaching out those students so that they can complete their academic programs. If the institution is prepared to stay open, or keep the branch

campus(es) or additional location(s) open and if it will continue to have sufficient resources, it may teach out those students that are within one year of graduation and assist other students in transferring to other institutions. If it does not have sufficient resources to accommodate current students through graduation or transfer, it must enlist the assistance of one or more other accredited institutions to serve as a teach-out receiving institution through a teach-out agreement. HLC's requirements for provisional plans are described on page 5.

HLC uses the term **teach-out receiving institution** to refer to each institutional signatory to a teach-out agreement that is not the institution required to submit a provisional plan. Teach-out receiving institutions are those institutions that agree, at a minimum, by virtue of their participation in the teach out to accept all the credits earned by students affected by the closure, to count those credits toward a reasonably similar certificate or degree from their institution, and to award a certificate or degree to the students participating in the teach out in approximately the same amount of time the students would have needed to complete their studies.



Note: If an institution wishes to evaluate the credits students have earned through its established policies or through a modified version of those policies, in lieu of signing a teach-out agreement, then it is not a teach-out receiving institution, but rather, a transfer option.

See page 4 for additional information about eligibility to serve as a teach-out receiving institution.

Finally, because not all institutions required to submit a provisional plan are institutions that will close entirely, HLC describes these institutions simply as **institutions required to submit a provisional plan**. The new federal regulations do not appear to have any technical term for such institutions but refers to them (in one instance) as “closing institutions.”

TEACH OUT: INSTITUTIONS REQUIRED TO SUBMIT A PROVISIONAL PLAN

Institutions required to teach out students must complete the following steps:

1. NOTIFY HLC

Whenever an institution experiences any circumstance that requires it to submit a provisional plan regarding teach out of students it must notify HLC as soon as possible. Absent exigent circumstances, four months' advance notice is strongly encouraged. Initially this notification can occur informally to the institution's HLC staff liaison. However, within no more than seven business days, the institution required to submit a provisional plan regarding teach out of students will need to send a formal letter of notification signed by the institution's CEO to the staff liaison. (Note that HLC makes no distinction between closure and suspension for purposes of its teach-out requirements.)

2. NOTIFY THE STATE HIGHER EDUCATION AGENCY, LICENSING BOARDS, SPECIALIZED ACCREDITORS AND THE U.S. DEPARTMENT OF EDUCATION

At the same time the institution notifies HLC in writing about the circumstances that require it to submit a provisional plan regarding teach out of students, the institution should also notify its state higher education authority, any relevant state licensing boards, specialized accreditors and the U.S. Department of Education.

A required teach-out will affect the distribution of federal financial aid and the institution should work with its financial aid office when notifying the U.S. Department of Education. The U.S. Department of Education in its March 5, 2020 guidance highlighted that financial aid officers "have statutory authority to use professional judgement to make adjustments on a case-by-case basis to the cost of attendance or to the data elements used in calculating the Expected Financial Contribution (EFC) to reflect a student's special circumstances."

3. NOTIFY STUDENTS

An institution required to submit a provisional plan regarding teach out of students must inform its

students of the reasoning for the plan and their options in a timely fashion so they can plan for their future. Prior to receiving formal approval by HLC, the institution may communicate the details of any provisional plan or agreements provided it includes the caveat that its plans are not final until formal approval from HLC has been secured. The institution must also provide updated information to its students once it has final approval from HLC.

4. CEASE ADMITTING STUDENTS

An institution required to submit a provisional plan regarding teach out of students is expected to cease admitting new students to the institution, academic program, branch campus or additional location, as applicable. The institution may readmit previously enrolled, returning students only if the institution is prepared to guarantee that such students are able to complete their program prior to the anticipated closure or discontinuation date.

The institution is responsible to contact the U.S. Department of Education's Federal Student Aid office to seek guidance on the timeline and to learn any implications for readmitting previously enrolled students.

5. SUBMIT A PROVISIONAL PLAN

An institution required to submit a provisional plan must file a plan for HLC approval that outlines arrangements for currently enrolled students to complete their degrees. The provisional plan must be provided to HLC as soon as it is finalized. Submission at least three months (90 days) in advance of any planned closure or discontinuation date is strongly encouraged. This deadline is to ensure the plan can be successfully implemented for students following HLC's review to determine whether the teach-out arrangement as a whole provides for the welfare of the students affected in a fair and equitable manner.

6. SECURE PERMANENT STUDENT ACCESS TO STUDENT RECORDS

Institutions must provide students with accurate information about where records (e.g., student transcripts, billing, financial aid records) will be stored after the closure or discontinuation date and outline the arrangements made for providing students with access to basic advising and registrar services (including transcript services) while the teach out is

taking place as well as after these basic services have been discontinued.

Institutions also must confirm whether the state higher education authority has requirements with regard to storing transcripts and adhere to them.

7. VOLUNTARY RESIGNATION OF ACCREDITATION OR CANDIDACY (CLOSING INSTITUTIONS ONLY)

An institution that is closing entirely or otherwise ceasing operations must affirmatively resign its status with HLC in accordance with [HLC's Voluntary Resignation Procedure](#).

TEACH OUT: INSTITUTIONS SERVING AS A TEACH-OUT RECEIVING INSTITUTIONS

For HLC to approve a provisional plan, all teach-out receiving institutions must meet these five requirements:

1. They must have the experience, resources and support services to provide a quality educational program that is similar in content, delivery modality and scheduling to the institution required to teach out students.
2. They must have the capacity to carry out their mission and meet all obligations to their existing students.
3. They must be able to provide teach-out students with access to at least one academic program as well as access to services without requiring such students to relocate or travel substantial distances or durations from the institution required to submit a provisional plan.

In addition, a teach-out receiving institution accredited by HLC planning on taking over an existing campus or additional location from the institution required to submit a provisional plan will need substantive change approval for the addition of the branch campus or the additional location.

4. They must, at a minimum, provide students with a clear statement of tuition and fees as well as information about additional costs, if any.
5. They must be willing to waive admissions requirements as well as residency requirements for teach-out students.

Institutions unwilling to consider such waivers for any population are transfer options, not teach-out receiving institutions, with respect to those populations of students. For example, a teach-out receiving institution may provide such waivers to students in the final stages of their academic programs, while serving as a transfer option for other students affected by the same closure.

NOTIFYING HLC AS A TEACH-OUT RECEIVING INSTITUTION

Serving as a Teach-Out Receiving Institution to an HLC Member

An institution intending to function as a teach-out receiving institution to another HLC institution must provide HLC a formal notification letter identifying:

1. The institution required to submit a provisional plan.
2. A listing of the similar academic programs it has already in place.
3. Confirmation of the approvals it has secured, or will need to secure, if any, to fulfill the teach-out receiving institution responsibilities.
4. A listing of how many students it anticipates serving through the teach-out agreement.
5. Whether additional human or other resources will be necessary to fulfill its responsibilities under the teach-out agreement.

Such notification should be submitted to changerequests@hlcommission.org.



Note: The actual teach-out agreement will be submitted as an attachment to the provisional plan for approval by the IAC by the institution required to submit a provisional plan.

Teach-out receiving institutions should review Decision-Making on page 6.

Serving as a Teach-Out Receiving Institution to a Non-HLC member

An institution intending to function as a teach-out receiving institution to an institution not accredited by HLC must notify its HLC staff liaison of its intention

by providing the information required for serving as a teach-out receiving institution to an HLC member, plus the teach-out agreement. The HLC staff liaison will review the teach-out agreement and may exercise staff authority under policy to approve the teach-out receiving institution's participation in the teach-out arrangement.

Institutions planning to serve exclusively as transfer options need not submit any documentation to HLC. However, any written agreements regarding transfer may be submitted by the institution seeking approval for the provisional plan to substantiate that adequate transfer assistance is being provided.

REQUIREMENTS FOR A PROVISIONAL PLAN

The standard for approval of a provisional plan is whether it provides for equitable treatment of students by ensuring that they are able to complete the academic programs in which they were enrolled prior to the circumstances that led to the need for the provisional plan (or reasonably similar academic programs) within a reasonable period of time.

Provisional plans must address the following essential elements:

1. A complete list of currently enrolled students (redacting personally identifiable information) in each affected program at the institution, and the program requirements each student has completed.
2. A complete list of the academic programs offered by the institution, and the names of other institutions that offer similar programs that could potentially enter into a teach-out agreement with the institution.
3. A communication plan that provides all potentially eligible students with information about how to obtain a closed school discharge and, if applicable, information on state refund policies.
4. A record retention plan to be provided to all enrolled students that delineates the final disposition of teach out records (e.g., student transcripts, billing, financial aid records).
5. Information on the number and types of credits any teach-out receiving institution is willing to accept prior to the student's enrollment.
6. A clear statement to students of the tuition and fees of the educational program and the number and types of credits that will be accepted by each teach-out receiving institution.
7. A commitment to promptly notify students of any additional costs.
8. If the institution submitting the provisional plan is unable to allow all students to complete their programs prior to a planned closure (or discontinuation), then teach-out agreements with one or more institutions must accompany the provisional plan when it is submitted for approval.
9. The provisional plan includes plans for academic and financial aid advising. For complete closures, a plan for providing students with transfer assistance is also required (For example, through transfer fairs, or written agreements with specific institutions).
10. The provisional plan includes drafts of any planned disclosures to affected students concerning their options.
11. The provisional plan identifies all programmatic accreditors with which the institution submitting the provisional plan has a relationship as well as the status any program holds with such accreditors.

WHEN TEACH-OUT AGREEMENTS ARE REQUIRED AS PART OF THE PROVISIONAL PLAN

An institution required to submit a provisional plan must submit one or more teach-out agreements with its provisional plan if any of the following circumstances apply:

- The institution will not be able to teach out its own students prior to its closure as an academic institution or the discontinuation of the program(s) in question.
- The institution's planned closure date for any additional location at which 100 percent of an academic program is offered, or for any branch campus, predates the anticipated graduation date for any number of students pursuing their program(s) of study at that additional location or branch campus.

- The institution’s loss of eligibility for Title IV funds will result in some students being unable to complete their program(s) at that institution even if the institution itself will continue in business.
- HLC staff determines that the institution must rely on the assistance of one or more accredited institutions to complete the provisional plan.

The teach-out agreement must be with an institution eligible to serve as a teach-out receiving institution and must contain the following essential elements:

1. The teach-out agreement contains an affirmation that it is consistent with all applicable state and federal regulations.
2. The teach-out agreement is fair and equitable to students and provides students with reasonable opportunities to complete their education and includes a notification provision to ensure that students have complete information about the tuition and fees of the teach-out receiving institution.
3. The teach-out agreement must include a live link to a downloadable copy of the applicable provisional plan and a commitment from a teach-out receiving institution to be familiar with the requirements of the provisional plan.
4. The teach-out agreement must contemplate both a firm commitment to a specific list of students who are currently enrolled in one or more programs at the institution requiring the teach-out receiving institution’s assistance and the program requirements such students have completed.
5. The teach-out agreement must include a plan to provide all potentially eligible students with information about how to obtain a closed school discharge and, if applicable, information on state refund policies.
6. The teach-out agreement must include information on the number and types of credits the teach-out receiving institution is willing to accept prior to each student’s enrollment.
7. The teach-out agreement must make a clear statement to students of the tuition and fees of the educational program and the number and types of credits that will be accepted by the teach-out receiving institution.

SUBMITTING REQUIRED MATERIALS

Institutions required to submit a provisional plan must send documents in one PDF file by an authorized representative of that institution to “change requests” at <http://hlcommission.org/upload>.

An institution that has signed a teach-out agreement after the original provisional plan (and initial teach-out agreements) were submitted or approved, or an institution that has signed a teach-out agreement with a non-HLC member institution must provide a formal notification letter, attaching the relevant teach-out agreement and copying the chief executive officer of the other institution to changerequests@hlcommission.org.

When submitting documents, institutions must carefully consider whether documents containing personally-identifiable information (PII) must be included. If the documents must be included for evaluative purposes, please redact the PII where possible. If redaction of the PII will interfere with the evaluative value of the document, please clearly identify the document as containing PII. Institutions are not expected to redact or identify information or documents where the only PII included is employee or Board member names and work contact information.

PII is any information about an individual that allows the individual to be specifically identified. This includes, but is not limited to: name, address, telephone number, birthday, email, social security number, bank information, etc. A document does not include PII if personal information is de-identified or is provided in the aggregate. See [HLC’s PII Guidelines](#) for more information.

DECISION MAKING

The HLC staff liaison will review the provisional plan in accordance with HLC’s substantive change procedures and determine preliminarily whether it meets HLC requirements for completeness and sufficiency. HLC’s Institutional Actions Council (IAC) must formally approve a provisional plan before it can be implemented, but, once the staff liaison has reviewed the provisional plan and determined that it meets HLC’s expectations, the institution may begin to

convey its plans to students and other parties provided that it makes clear that it is still pending approval by HLC's Institutional Actions Council.

The IAC reviews and acts on all provisional plans, including accompanying teach-out agreements and may approve, approve with modifications or deny the provisional plans.

The IAC may approve a provisional plan with modifications, including determining that one or more of the proposed teach-out receiving institutions are not eligible to serve as a teach-out receiving institution. Depending on the circumstances, such an institution may still serve as a transfer option. HLC does not review transfer arrangements.

HLC will expedite IAC's evaluation of teach outs when possible to provide the best information to students. Due to the complexity of teach outs, institutions are encouraged to contact their HLC staff liaison for further information and guidance.

Where HLC is reviewing a provisional plan related to the discontinuation of an academic program or where HLC is considering an institution's participation as a teach-out receiving institution, HLC staff may act to provide such approval in accordance with authority afforded staff by current policy.

If a provisional plan is approved by the IAC, HLC will continue to monitor the situation to ensure students are informed and aware of their options. If denied, HLC will require the institution to refile the provisional plan addressing the issues that led to the denial. The submission of a provisional plan does not prevent HLC from evaluating an institution's compliance with HLC requirements and the potential outcome of such evaluations including, for example, a designation or sanction.

HLC NOTIFICATION OBLIGATIONS

HLC will notify other accrediting agencies recognized by the U.S. Department of Education that accredit program(s) at the institution under review within 30 days of the action if HLC acts to approve a provisional plan or a teach-out agreement that includes a program accredited by another recognized accreditor.

QUESTIONS/INFORMATION

Provisional plans and any related teach-out agreements should be sent to changerequests@hlcommission.org.

Specific questions about this procedure should be referred to the institution's HLC staff liaison.

RESOURCES FOR SUCCESSFUL TEACH OUTS

TREATMENT OF STUDENTS AFFECTED BY INSTITUTIONAL CLOSURES

Students that cannot complete the program of study in which they enrolled due to institutions no longer offering the program often require assistance from other institutions. Among their choices, some students may opt to transfer to another institution, while others may opt to participate in a teach-out conducted by an institution other than the closing institution, known as a teach-out receiving institution. Students affected by institutional closures may also opt to pursue a closed school discharge with the U.S. Department of Education under certain limited circumstances.

Students in the final stages of their academic programs have made the greatest investments in their education and have the fewest options. As a result, HLC considers the term “teach-out students” to refer primarily to students in the final stages of their academic programs, whether undergraduate or graduate, who have no option to complete their academic program within a reasonable time, other than to choose to attend a teach-out receiving institution. By contrast, HLC considers the term “transfer students” to include students who may be impacted by institutional closure but who are not in the final stages of their academic programs and who, having the option as a technical matter to participate in a teach-out arrangement or transfer to another institution in the ordinary course, ultimately choose to do the latter.

The obligations of a teach-out receiving institution are very different from those of a transfer institution. A teach-out receiving institution agrees to afford certain flexibilities to students it receives as a result of an institutional closure. For example, these flexibilities include waiving residency requirements, application requirements, and accepting all credits earned. Teach-out receiving institutions often charge tuition that is

comparable to, or less than, the closing institution so that, as far as possible, students can complete their academic programs under fair and equitable circumstances. They must be transparent with students about any additional charges per federal regulations. A teach-out receiving institution is also allowed to prioritize students in the final stages of their academic programs for purposes of fulfilling the obligations of its teach-out agreement, while choosing to evaluate all other affected students according to the institution’s standard transfer policies.

Institutions determine their own transfer policies. Under HLC policy entitled Publication of Transfer Policies (FDCR.A.10.040), each institution is required to determine its own policies and procedures for accepting transfer credits, including credits from accredited and non-accredited institutions, from foreign institutions, and from institutions that grant credit for experiential learning and for non-traditional adult learner programs in conformity with any expectations in HLC’s Assumed Practices. Institutions also have the ability to waive aspects of their transfer policies by documenting the decision-making process that is consistent with the institution’s policies and procedures for maintaining the integrity of its academic functions.

In rare instances, despite HLC expectations, an institution may close abruptly, thus causing tremendous disruption to the lives of their students. Such closures may occur without any provisional plan or teach-out agreement(s) in place. Institutions seeking to help may, but need not, consider whether they are willing to afford students the same flexibilities that would apply under a traditional teach-out scenario in the short term, even though they are not contractually bound to do so under any teach-out agreement. On the other hand, in the absence of a contract, institutions may legitimately choose to evaluate students exclusively as transfer students under their established transfer policies, including any exceptions to those policies as determined by the institution.

Institutions seeking to be of service to students affected by institutional closures other than by accepting transfer students in the ordinary course, should contact their HLC staff liaison as soon as possible.

Because institutional closures are often stressful, all institutions receiving students affected by institutional closures are encouraged to anticipate and provide general support for students' short-term transition needs as well as their long-term academic and social integration into their new institution.

TEACH-OUT RECEIVING INSTITUTIONS' REQUIREMENTS: EXPLAINED

For HLC to approve a provisional plan, all teach-out receiving institutions must meet five requirements listed on page 4. The following explains the intended protections for students in the requirements:

Content: In general, teach-out receiving institutions must already be approved by their accreditor(s) and state authorizing agency to offer one or more programs that are reasonably similar to those offered by the institution requesting the teach-out agreement.

If a prospective teach-out receiving institution does not currently have at least one academic program in place that is reasonably similar to those for which an institution is requesting a teach-out agreement, the teach-out receiving institution will need prior authorization from the state and substantive change approval from its institutional accreditor to offer the programs before it can participate in the teach out. In the case of long-term orderly or planned closures, the processes necessary to seek state authorization to offer new programs and/or substantive change approval from its accreditor can usually be accommodated.

Similarly, the teach-out receiving institution must also have similar professional or specialized accreditation if such accreditation is necessary in order to serve students in programs for which special licensure or certification requirements apply.

These approvals indicate acceptable quality on which students can rely. HLC institutions wishing to serve as teach-out receiving institutions that do not currently

offer at least one program reasonably similar to those of the institution requesting a teach-out agreement should contact their staff liaison. If the institution that is teaching-out its students is not accredited by HLC, then the HLC teach-out receiving institution must notify HLC of its plans to serve in that capacity and submit the teach-out agreement to HLC.

In determining whether educational programs are "reasonably similar," institutions should consider factors that go beyond the identification of the academic discipline, including comparability of general education requirements, academic performance expectations for students in each year of the program, expected student learning outcomes, experiential learning, laboratory and clinical requirements, as applicable.

Modality: With respect to modality, while an alternate delivery modality may be made available to students, it is insufficient unless instruction through the original delivery modality is also made available to students. A provisional plan may satisfy this requirement by including multiple teach-out receiving institutions for a particular academic program if necessary.

Scheduling: With regard to scheduling, teach-out receiving institutions should be able to offer courses that allow students to graduate as close as possible to the previously scheduled timeframe.

Meet all obligations to their existing students: An institution may NOT serve as a teach-out receiving institution if it is affected by circumstances that would require it to submit a provisional plan under HLC policy (whether or not such circumstances are known to HLC) or is under investigation, or being prosecuted for an issue related to academic quality, misrepresentation, fraud or other severe matters by a law enforcement agency. HLC also reserves the right to disqualify any potential teach-out receiving institution based on other risk factors it identifies. For example, the institution must not be on sanction with HLC or any other accreditation agency and must be able to demonstrate that it has the capacity to enroll the number of students it anticipates serving through the teach out. In some cases, demonstrating capacity may require an institution to hire additional faculty or student service personnel.

Without requiring students to relocate or travel substantial distances: Neither HLC policy nor federal regulations define a maximum number of miles or hours for purposes of determining whether a distance is “substantial.” Institutions are encouraged to weigh multiple factors in selecting teach-out receiving partners, such as the extent of potential disruption to teach-out students’ daily life, including their professional lives, and the availability of unique programs they may pursue.

In addition, a teach-out receiving institution accredited by HLC planning on taking over an existing campus or additional location from the institution required to teach-out students will need substantive change approval for the addition of the branch campus or the additional location.

Clear statement of tuition and fees: Teach-out receiving institutions typically charge tuition and fees that closely approximate what the original institution would have charged students in the interest of permitting students to complete their programs under equitable circumstances. Providing information regarding net price for a student is also helpful.

Admissions requirements and residency requirements: Institutions unwilling to consider such waivers for any population must view themselves as transfer options with respect to those populations. For example, a teach-out receiving institution may provide such waivers to students in the final stages of their academic programs, while serving as a transfer option for other students affected by the same closure.

TRANSPARENCY TO STUDENTS

Teach-out receiving institutions’ ongoing obligations are largely driven by the agreements they enter into. Following through on these contractual obligations is integral to the successful transition of students disrupted by closure. However, teach-out receiving institutions are also responsible for providing clear, timely and accurate communications to such students as well as their own constituents, including faculty, administrators, staff, and student body about the teach-out arrangement. These transparency obligations are part of HLC requirements and may require communications covering a wide range of related topics for different audiences.

REQUIREMENTS FOR INSTITUTIONS REQUIRED TO SUBMIT A PROVISIONAL PLAN: EXPLAINED

For HLC to approve a provisional plan, it must have the essential elements listed on page 5. The following explains the intended protections for students in the requirements:

Notify HLC: Absent exigent circumstances, HLC expects that an institution will provide notification of closure or discontinuation on a date that is at least four months (120 days) in advance of the planned date of closure to ensure that there is time to accommodate the students.

Notify the Triad: At the same time the institution notifies HLC in writing about the circumstances that require a teach out arrangement, the institution should also notify its state higher education authority, any relevant state licensing boards, specialized accreditors and the U.S. Department of Education. Each entity plays a role in helping the students find a way to complete their academic endeavors.

Secure Permanent Student Access to Student Records: Every institution is expected to maintain the integrity and permanent availability of accurate student records. In the context of a teach out this is of paramount importance even when institutions may be challenged by exigent circumstances.

In some states, rules require that the closing institution send copies of the transcripts to the state higher education office or a state university for long-term storage. Other states may expect an institution to identify another institution to receive and house the records. Because requirements and resources may vary by state, it is incumbent on the closing institution to determine as early as possible what options are available for permanent record retention and whether a private third-party vendor is needed.



Note: Institutions expecting a temporary suspension of operations may want to deem the registrar essential personnel if state requirements require the institution to identify an alternative means of storing transcripts.

GOOD PRACTICE: RECOMMENDATIONS FROM PAST TEACH-OUT RECEIVING INSTITUTIONS

Interactions with institutions required to submit a provisional plan:

- Consider alignment of institutional missions and academic programs.
- When possible, develop curriculum crosswalks to ascertain the extent to which academic programs are “reasonably similar.” This eases the transition and increases the likelihood of success for affected students.
- Obtain relevant syllabi and the academic catalog from the institution.
- Obtain detailed student documents, especially from programs that lead to licensure, regarding clinical hours, etc.
- Make a determination whether the institution will serve as a custodian for student records. Otherwise, confirm permanent accessibility to accurate student and alumni records. (Note: Not all state higher education agencies serve in this role. Be sure to verify the applicable state agency’s current practices.)
- Confirm willingness to serve as a teach-out receiving institution by signing a teach-out agreement.
- If not willing to undertake the obligations of a teach-out receiving institution, communicate willingness to serve solely as a transfer option for students and participate in transfer fairs or other activities designed to facilitate student transfer.

Internal operations:

- Obtain a commitment from the institution’s Board of Trustees to participate in this endeavor.
- Obtain any necessary approvals (e.g., additional location) from accrediting agency(ies) and U.S. Department of Education.
- Develop a communication plan for current faculty, staff and students.

- Identify and engage faculty and student support services as early as possible in the process. Work to develop buy-in strategies by utilizing the shared governance structures.
- Establish a cross-functional transition team consisting of registrar, financial aid, admissions, student accounts, student affairs, advising, counseling and any resources for special populations (for example, veterans or students with disabilities), communications, public relations, information technology and, if hiring faculty and other staff, human resources.
- Develop a set of commonly asked questions with answers in one place.
- Create written degree plans for each student.
- Determine net price for each student.
- Develop financial aid packages, fee waivers and other policy waivers. (Remember residency requirements are waived.)
- Provide just-in-time orientation for teach-out students (as well as for any transfer students) with additional attention given to organizational culture.
- Heighten awareness within the institution of academic and social integration challenges that may adversely impact teach-out students.
- Consider developing a set of teach-out policies in case future scenarios occur.
- Identify a process to evaluate the activities leading to student enrollment after the first term.

Additional considerations for abrupt closure scenarios:

- Quickly identify any required approval processes across the regulatory triad (U.S. Department of Education, state higher education authorities, institutional and programmatic accreditors, licensing boards, etc.).
- Arrange for mental health and financial aid counseling for affected students.
- Anticipate possible health insurance, food insecurity, homelessness, transportation, job loss, and daycare challenges.

- In the absence of a teach-out agreement, institutions should determine whether they will adhere to their typical transfer policies or follow their internal decision-making processes to determine what, if any, exceptions to those policies will be made.

SPECIAL CIRCUMSTANCES

ABRUPT CLOSURES; FAILURE TO FILE A PROVISIONAL PLAN

If an institution abruptly closes without filing the required provisional plan for approval prior to closing, HLC will work with the U.S. Department of Education, relevant specialized accreditors, appropriate state agencies and relevant licensing boards to assist students in finding reasonable opportunities to complete their education within a reasonable time as provided in federal regulations.

Institutions should still contact their HLC staff liaison as soon as possible if a decision has been made to close in short order, so that any and all opportunities for a rapid response to a provisional plan and accompanying teach-out agreements can be explored on an accelerated basis.

An institution that does not close entirely, but that fails to comply with HLC teach-out policy, thereby causing disruption to students' academic progress, may be subject to sanction for noncompliance with HLC requirements.

POTENTIAL ACCREDITATION RAMIFICATIONS OF SUSPENDING OR REDUCING OPERATIONS

An institution that suspends operations for any reason should be aware that the HLC Board of Trustees may withdraw accreditation from an institution if it ceases to operate as an educational institution or if its legal authorization to operate and grant degrees is terminated, which might take place if it is no longer operating the academic enterprise for any period of time. An institution that systematically reduces operations should be aware that the HLC Board of Trustees may take action up to and including withdrawing accreditation if it determines, based on an evaluation, that the institution is out of compliance with HLC requirements and may no longer be accredited. (INST.E.60.010, Denial or Withdrawal of Status.)