



## HLC RECORDS AND INFORMATION

### Policy Change Adopted on Second Reading

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The Higher Learning Commission (HLC) Board of Trustees (“the Board”) adopted this policy on second reading at its meeting on June 24, 2021.

#### Background

The adopted change created a new policy that updates and consolidates information regarding HLC management and disclosure of records and information. The updates include a revised definition of an “administrative record;” detailed information on managing the Statement of Accreditation Status; information about ownership, confidentiality, and disclosure of institutional information; and information about HLC’s website.

This new policy replaced the following policies:

- Public Disclosure (INST.B.30.040)
- Management of HLC Information (INST.G.10.010)
- Official Records (INST.G.10.020)
- Confidentiality of Information (COMM.A.10.020)

HLC circulated these policy changes to the membership and other interested parties after the Board’s February 2021 meeting. No comments were received. However, staff identified an opportunity to clarify that only recent action letters are typically published on HLC’s website. This change is noted in the policy text below.

#### Implementation

This policy is effective immediately.

## Adopted New Policy

Changes between first and second reading, other than minor editing, are indicated in bold italics (*new wording*). The new policy has been published on HLC's website at [hlcommission.org/policies](https://hlcommission.org/policies).

Policy Title: Management of HLC Records and Information

Number: COMM.A.10.020

### Types of Institutional Records and Information

**Administrative Record.** HLC will maintain an administrative record for each member institution, institution that was previously a member, and institution that is, or was, seeking membership. The administrative record is a record of documents related to an institution's accreditation relationship with HLC. The administrative record for an institution includes the following:

- Narrative and related documentary materials submitted by an institution as part of an evaluation process. This could include, for example, the institutional update, a substantive change application, an Assurance Argument, or an institutional response.
- Materials prepared by HLC as part of an evaluation process. This could include, for example, a final team report, an Institutional Actions Council report, or a desk review.
- Actions letters and other official correspondence related to evaluation activity. This could include, for example, an action letter indicating action taken by the Board of Trustees, an action letter indicating action taken by the Institutional Actions Council, a letter imposing a designation, or a letter transmitting a team report. The action letter serves as HLC's record of official action taken by HLC.

At HLC's discretion, additional documents may also be included in the administrative record. This could include, for example, correspondence from other accreditors or governmental entities regarding the institution, or other correspondence with the institution.

**Statement of Accreditation Status.** HLC will maintain a Statement of Accreditation Status (SAS) for each institution that is currently, or previously has been, a member institution of HLC. Institutions that are seeking membership with HLC do not have an SAS. The SAS provides certain information, based on HLC's records, regarding the institution's membership with HLC. As detailed further below, the SAS is publicly available on the HLC website in the Directory of Institutions.

To the extent applicable, the SAS includes the following information:

- General information about the institution, including, but not limited to, an address for the institution, a count of certificate programs and degree programs by type, and information on the institution's active campuses and additional locations.
- Certain information regarding the institution's recent history with the Commission for up to the last fifteen (15) years.
- The date of the institution's most recent reaffirmation of accreditation and the date of the institution's next reaffirmation of accreditation.
- Any current or upcoming reviews related to the institution, including any monitoring.

At HLC's discretion, additional information may also be included in the SAS. This could include, for example, certain information related to an institution's established stipulations with HLC or institutional designations.

**Other Institutional Records and Information.** HLC may maintain other records and information regarding member institutions, institutions that were previously members, and institutions that are, or were, seeking membership. This could include, for example:

- Contact information for institutional representatives.
- Correspondence related to an institution that is non-evaluative in nature. This could, include, for example, letters provided to third parties at the institution's request regarding the institution's relationship with HLC.
- Institutional complaints that do not result in evaluative activity, and related correspondence.
- Supplementary evaluative materials provided by the institution. This could include, for example, catalogs and handbooks.

### Ownership of Institutional Records and Information

HLC shall solely and exclusively hold all rights of ownership regarding all institutional records and information. This includes, for example, all narrative materials provided by the institution to HLC as part of an evaluation process and all evaluation materials created by HLC.

All institutional records and information, including all documents in an institution's administrative file, are the property of HLC.

## Confidentiality of Institutional Records and Information

To the extent possible, and subject to the situations described below, HLC will generally keep confidential institutional records and information that are not otherwise publicly available. However, HLC cannot guarantee absolute confidentiality as to any institutional records and information.

## HLC's Communications With Institutions, and at the Request of Institutions, About Institutional Records and Information

**Primary Contacts.** HLC will primarily communicate with an institution's current CEO (President or other designated CEO) and Accreditation Liaison Officer (ALO), as identified in HLC's records.

**Action Letters and Other Official Correspondence.** Action letters and other official correspondence related to an evaluation activity will be addressed to the institution's President, with a copy to the institution's ALO. In some instances, a copy of an action letter will also be provided to the Chair of the institution's governing board.

**Electronic Correspondence Methods.** HLC will primarily use electronic means to transmit and receive institutional records and information. This includes, for example, through email, file-sharing sites, web forms, and HLC's Assurance System. Institutions are expected to transmit and receive institutional records and information in these formats, according to any specifications provided by HLC.

In some instances, action letters regarding adverse actions and the imposition of sanctions and Show-Cause Orders are sent via certified mail.

**Providing Institutional Records and Information to an Institution or Others Upon Request of the Institution.** HLC may release institutional records and information to the institution, or to other individuals, or entities designated by the institution, upon request. Such a request must be made by the CEO or ALO of the institution, as identified in HLC's records; or as otherwise provided in HLC procedures. In certain circumstances, the request may be made via a resolution of the institution's governing board. All determinations as to whether to release institutional records and information to the institution, or to other individual or entities designated by the institution, are at the discretion of HLC.

## HLC's Communications With Third Parties About Institutional Records and Information.

**Use of Institutional Records and Information in HLC Processes.** HLC may provide institutional records and information to individuals who need that information in order to fulfill a responsibility related to an HLC process. This could include, for example, peer reviewers, independent contractors, or decision makers.

Institutional Documents and Information Available to the Public via HLC's Website. HLC will make the following institutional records and information available to the public via its website:

- A Directory of Institutions that includes the Statement of Accreditation Status for all current and previous member institutions.
- A list of certain HLC campus visits occurring in the current academic year. This includes comprehensive evaluations, biennial evaluations during candidacy, and other visits related to sanctions. At its discretion, HLC may also include other visits on this list.
- Recent Public Disclosure Notices and other public statements, as issued in accordance with HLC policy.
- Recent accreditation actions, as provided to the public in accordance with HLC policy.
- Recent voluntary resignations, as provided to the public in accordance with HLC policy.
- **Recent** action letters related to reaffirmation of accreditation; the imposition or removal of a sanction or show-cause order; and the granting, denial, or withdrawal of candidacy or accreditation. At its discretion, HLC may also post other action letters on its website.

At its discretion, HLC may provide members of the public with oral or written information explaining institutional documents and information available on HLC's website.

**HLC Submissions.** HLC may include institutional records and information in any submission made by HLC. This could include, for example, submissions to the U.S. Department of Education or submissions to the Council on Higher Education Accreditation.

**Governmental Entities.** Consistent with its policies, and otherwise in its discretion, HLC may provide institutional records and information to a governmental agency with appropriate jurisdiction. This could include, for example, federal agencies or state higher education agencies.

**Recognized Accreditors.** Consistent with its policies, and otherwise in its discretion, HLC may provide institutional records and information to other recognized accreditors. This could include, for example, institutional accreditors or programmatic accreditors.

**Legal Inquiries and Matters.** HLC may provide institutional records and information pursuant to any valid legal request for information, or as part of any legal process. This could include, for example, pursuant to a subpoena or administrative inquiry.

Research. HLC may provide institutional records and information to individuals or entities conducting research on behalf of HLC or otherwise as part of research activities. In general, HLC will require that these individuals and entities keep institutional records and information confidential and, to the extent applicable, otherwise protect the information. In general, as applicable, HLC will require that any resulting research products and analyses that are released publicly include only aggregate or de-identified information.

### Other Information About HLC’s Website

Other Information Publicly Available on HLC’s Website. In addition to the institutional records and information detailed above, HLC will maintain the following information as publicly available on its website:

- Information about HLC's requirements, policies, and procedures.
- A list of reviewers in HLC's Peer Corps.
- A list of all individuals serving on HLC decision-making bodies, including the Board of Trustees, the Institutional Actions Council, and the Appeals Body.
- Contact information for accessing HLC processes and staff members.

Privacy Notice. HLC will maintain a Privacy Notice on its website describing how HLC collects, maintains and uses other non-institutional information.

### Records Retention

HLC will maintain a records retention schedule and associated procedures regarding the retention and destruction of institutional records and information, as well as regarding other HLC records and information.

### Policy Number Key

*Section COMM: HLC Obligations*

*Chapter A: HLC Obligations to Institutions and the Public*

*Part 10: General*

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*Last Revised: June 2021*

*First Adopted: August 1996, February 1996, June 2004*

*Revision History: February 1998, May 2002, October 2002, June 2008, February 2010, June 2012, November 2012, June 2021*

*Notes: Former policy number –2.3(d). In February 2021, references to the Higher Learning Commission as “the Commission” were replaced with the term “HLC.” Policies updated and consolidated in June 2021: INST.B.30.040, INST.G.10.010,*

*INST.G.10.020 and previous COMM.A.10.020.*

*Related Policies:*