



## EXPANSION OF JURISDICTION

### Bylaw 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

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 adopted bylaw change expands HLC’s jurisdiction for accreditation so that HLC may now accredit 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. (Separately, the Board also adopted on second 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.)

HLC circulated the proposed bylaw change to the membership and other interested parties after the Board’s February 2021 meeting. Six comments were received. Commenters identified positive opportunities as a result of the expansion; articulated concerns about competition, collegiality among accreditors, and continued quality assurance in the new environment; and offered further ideas such as considering accreditation of international institutions. HLC did not identify any necessary edits to the proposed bylaw change based on the comments received nor did the Board choose to alter its course.

Changes conforming to the adopted bylaw revision have been made throughout HLC’s Bylaws and to related policies regarding jurisdiction.

## Implementation

This bylaw is effective immediately.

## Adopted Policy

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**). These revisions have been made on HLC's website at [hlcommission.org/about-hlc](http://hlcommission.org/about-hlc).

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

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#### 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.~~

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#### 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.~~