



## Policy Changes Adopted on Second Reading

### Title: Institutional Obligations of Affiliation

*The Board of Trustees adopted these policies on second reading at its meeting on February 24, 2012.*

#### Background

In conjunction with revising the Criteria for Accreditation, the Commission has extensively revised the Institutional Obligations of Affiliation. The revised Obligations expand the range of obligations required of institutions affiliated with the Commission to other behavioral requirements already fulfilled by most accredited institutions, such as notifying the Commission of legal investigations or publishing the institution's phone number on its Web site. Additional policies allow the Commission to place an institution that violates these Obligations on Administrative Probation for a period of ninety days during which the institution must remedy the problem.

#### Implementation

The new Obligations and related policies will be effective for all accredited and candidate institutions on January 1, 2013. Beginning September 1, 2012, non-affiliated institutions will be asked to affirm, in conjunction with the letter of intent to seek candidacy and before the initial candidacy visit, their willingness to abide by the Obligations of Affiliation if they are granted candidacy.

<b>Policy 1.6</b>	<b>INSTITUTIONAL OBLIGATIONS OF AFFILIATION</b>  While seeking and holding affiliation with the Commission, an institution voluntarily agrees to meet obligations set forth by the Commission as follows:  <ol style="list-style-type: none"><li>1. The institution meets obligations set forth by the Commission, including periodic evaluation through the structures and mechanisms set forth in Commission policies, submission of reports as requested by the Commission, filing of the Institutional Update, and any other requirements set forth in its policies.</li><li>2. The institution is candid, transparent, and forthcoming in its dealings with the Commission, including in its responses to any special inquiries or requests for information from the Commission. The institution agrees not to enter into any agreement that limits</li></ol>
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	<p>the nature or scope of its communications with the Commission or requires that a third party review and approve those communications prior to their transmission to the Commission.</p> <ol style="list-style-type: none"> <li>3. The institution notifies the Commission of any condition or situation that has the potential to affect the institution's status with the Commission, such as a significant unanticipated reduction in program offerings or serious legal investigation. (A fuller list of such conditions or situations is included in the Commission's policy on special monitoring.)</li> <li>4. The institution informs the Commission of its relationship with any related entity wherein institutional decision-making is controlled by that entity and of any changes in that relationship that may affect the institution's compliance with Commission accreditation requirements. (Definitions and process requirements are contained in the Commission's policy on institutions with related entities.)</li> <li>5. The institution describes itself in identical terms to the Commission and to any other institutional accrediting body with which it holds or seeks affiliation with regard to purpose, governance, programs, sites, degrees, diplomas, certificates, personnel, finances, and constituents.</li> <li>6. The institution notifies the Commission when it receives an adverse action from or has been placed on sanction by any other accrediting agency or if a state has issued a pending or final action that affects the institution's legal status or authority to grant degrees.</li> <li>7. The institution assures its employees and students that it will consider fairly all complaints and third-party comments and not engage in retaliatory action against any who have submitted such information.</li> <li>8. The institution accepts that the Commission will, in the interest of transparency to the public, publish outcomes from its accreditation process.</li> <li>9. The institution portrays its accreditation status with the Commission clearly to the public, including the status of its branch campuses and related entities. The institution posts the electronic version of the Commission's Mark of Affiliation in at least one place on its Web site, linking users directly to the institution's status on the Commission's Web site.</li> <li>10. The institution communicates to its constituencies and applicants any Public Disclosure Notice it receives from the Higher Learning Commission.</li> </ol>
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	<p>11. The institution maintains prominently on its Web site a telephone number that includes an option for both current students and the public to speak with a representative of the institution.</p> <p>12. The institution submits timely payment of dues and fees and accepts the fact of surcharges for late payment.</p> <p>13. The institution agrees to accept binding arbitration in the event of an action by the Commission's Board of Trustees that the institution disputes and is not able to resolve through the Commission's processes. This agreement follows procedures developed and published by the Commission.</p>
<b>Policy 1.6(a)</b>	<p><b>MEETING OBLIGATIONS OF AFFILIATION</b></p> <p>Institutions must remain in compliance with the Obligations of Affiliation at all times. The Commission shall determine when an institution is in violation of the Obligations of Affiliation. Commission staff, may at its discretion, make use of any means to determine whether the institution has violated an Obligation of Affiliation including, but not limited to, seeking written information from the institution or scheduling a peer reviewer or staff member to meet with one or more institutional representatives either on-campus or through other appropriate method.</p>
<b>Policy 1.6(b)</b>	<p><b>ADMINISTRATIVE PROBATION</b></p> <p>An institution that is determined by Commission staff or peer reviewers to have not met the Obligations of Affiliation shall be placed on Administrative Probation by the Commission's President for a period not to exceed ninety days. During this time the institution will be expected to remedy the situation that led to the imposition of Administrative Probation. The Commission President will notify the institution of the imposition of the Administrative Probation and the conditions for its removal.</p> <p>If an institution fails to remedy the situation that led to Administrative Probation by the end of the ninety-day period, the Commission President shall take a recommendation concerning the institution to the Commission's Board of Trustees. That recommendation may be for the application of a sanction or the withdrawal of accreditation, in accordance with Commission policies and procedures.</p>

<b>Policy 1.6(b)1</b>	<b>DISCLOSURE OF ADMINISTRATIVE PROBATION</b> Administrative probation is noted on an institution's Statement of Affiliation Status along with the reason for the Administrative Probation.
	Policy History: Adopted January 1983, renumbered November 2010, revised February 2012.