



Policy Changes Proposed on First Reading

Title: Policies Affecting Peer Reviewers

Background

The Commission has developed a code of conduct that would set clear expectations regarding appropriate and ethical behavior by peer reviewers during and after a visit. The policies provide general updates and amendments to the peer review policies and also propose a Standard of Conduct for peer reviewers.

Key to Proposed Changes

Because these policies will be included in a revised presentation of Commission Policies, they are shown here with a temporary numbering scheme. Policy wording to be deleted or revised is shown as strikethrough (~~old wording~~); new policy language, whether through addition or revision, is shown in bold (**new wording**).

Comments Invited

The Commission invites comments on these changes before the Board takes final action at its meeting on October 31 – November 2, 2012. Comments can be sent to policycomments@hlcommission.org. Comments on these policies are due by September 7, 2012.🌿

Section 3	Commitment to Peer Review
Introduction	The Commission is committed to a strong Peer Corps that will conduct evaluations and take accrediting actions on behalf of the Commission's member institutions. Through its recruitment and selection processes, the Commission will strive to assure that the Peer Corps reflects the diversity of the people—professionals and students—engaged in higher education in the Higher Learning Commission region. In selecting and appointing Peer Reviewers the Commission does not discriminate on matters of race, creed, gender, sexual orientation, or physical disability.
Policy PR.A.10-10	Eligibility and Selection OF CONSULTANT-EVALUATORS (C-ES) At least ninety percent A majority of the members of the C-E Corps Peer Corps must be officially and actively employed on a full-time basis within the higher education community community by regionally accredited institutions of higher education as faculty or

	<p>instructors, administrators or other institutional personnel. Other members of the C-E Corps may include, as appropriate, such people as members of boards of trustees or part-time or adjunct employees of accredited institutions, recent retirees from accredited institutions legal counsel, state education or system employees, representatives of the business community, or public members. The Corps may also include individuals with specialized experience in quality improvement or other areas and recent retirees from any of these categories above. Peer reviewers will have appropriate academic degrees from accredited institutions of higher education or the equivalent foreign degrees as well as a minimum of five years of work experience. A majority of the members of the Peer Corps will be located, either through personal residence or employment relationship, in the Higher Learning Commission region.</p> <p>The staff of the Commission will be responsible for the developing selection criteria for Peer Reviewers and for implementing a selection process of the C-E Corps and will report the Corps' composition to the Board of Trustees.</p> <p>Former policy: 6.1 "Eligibility & Selection of Consultant-Evaluators (C-Es)" Policy history: Adopted January 1983, revised February 2002, edited October 2003.</p>
<p>Policy PR.A.20-10</p>	<p>Terms of Appointment</p> <p>A new Peer Reviewer shall be appointed to a two-year term. A C-E's Commission staff will review that appointment will be reviewed after completion of a second site visit or after the third year of service, whichever comes first the two-year term. If invited to continue to serve on the C-E corps, a C-E will be placed on a five-year term. The Commission staff will take into consideration the Peer Reviewer's completion of required training as well as performance in institutional evaluations. On the basis of this review, the Commission staff will decide whether to appoint the Peer Reviewer to an initial five-year term.</p> <p>At the expiration of the initial five-year term, Commission staff may invite a C-E may be invited a Peer Reviewer to reapply for reappointment for a successive five-year terms. The Commission staff will consider the Peer Reviewer's performance in institutional evaluations, including comments from institutions, other Peer Reviewers and staff, and the Peer Reviewer's adherence to the Peer Reviewer Standards of Conduct in determining whether to appoint the Peer Reviewer to a subsequent five-year term.</p> <p>The Commission retains the discretion to end the term of a Peer Reviewer at any time. The Commission may also end the term of a Peer Reviewer before the regular completion date if that Peer Reviewer no longer meets the eligibility criteria for admission to the Peer Corps established by the Commission. The Commission will notify the Peer Reviewer of such action.</p> <p>Former policy: 6.2 "Terms of Appointment" Policy history: Adopted February 1994, edited October 2003.</p>

<p>Policy PR.A.30-10</p>	<p>Required Training and Professional Development</p> <p>Within the initial two-years of the appointment term and prior to participation in any institutional evaluation, a C-E Peer Reviewer must attend participate in C-E Commission training or professional development Program that educates the C-E Peer Reviewer in the application of the Commission’s Criteria for Accreditation and Commission policies, accreditation requirements, and the specific processes integral to the Commission evaluations process. Peer Reviewers must complete training at least every three years thereafter or within two years after any major initiative such as the adoption of new Criteria for Accreditation.</p> <p>Such training may be customized for the specific role the C-E Peer Reviewer undertakes in the Commission’s evaluation process, including training in preparation for a role in the Commission’s decision-making or appeals processes. Professional Development Training for Peer Reviewers will regularly include a segment on the evaluation of distance and correspondence education. Typically this will be in a personal, synchronous environment, but may be supplemented by training provided in an electronic or asynchronous environment.</p> <p>Training may take place through in-person events or electronic mechanisms; all training activities will allow the Peer Reviewer to complete the training program and the Commission to assess the Peer Reviewer’s mastery of the information.</p> <p>Former policy: 6.3, “Required Professional Development” Policy history: Adopted February 1994, edited October 20032, revised February 2004, revised February 2010.</p>
<p>Policy PR.A.40-10</p>	<p>Standards of Conduct</p> <p>The Commission expects Peer Reviewers to behave with the highest level of ethics and integrity while conducting any activity for the Commission. Peer reviewers must abide by appropriate and ethical standards of conduct to assure the public and the higher education community that evaluations have been carried out objectively and with the goal of assuring the public good.</p> <p>While participating as Peer Reviewers in any institutional evaluation, hearing or other Commission activity as a Peer Reviewer, Peer Reviewers shall agree to abide by the following Standards of Conduct:</p> <p>Peer Reviewers:</p> <ol style="list-style-type: none"> 1. Conduct themselves with appropriate dignity and professionalism while representing the Commission. 2. Treat all institutional representatives, members of the public, fellow peer reviewers and Commission staff with courtesy and respect. 3. Adhere to the Commission’s Policy on Objectivity and Conflict of Interest and disclose any actual or apparent conflicts to the Commission staff in advance of accepting any assignment.

	<ol style="list-style-type: none"> 4. Avoid representing interests that conflict or compete, or provide the appearance of conflict, competition or bias, with the fair and objective review of every institution. 5. Act with competence in all Commission activities by reading assigned materials in advance, reviewing Commission requirements, attending required training, and participating in all evaluation activities as outlined by Commission staff. 6. Follow the Commission policy for Peer Reviewers on Independent Consulting and guidelines on independent consulting and mock visits. 7. Decline any offer of gifts, incentives, or other compensation from any institution under review unless those gifts are nominal in nature (less than \$50 fair market value per individual gift) or of significance in a particular cultural context and notify the Commission staff of an offer of such gift that exceeds this threshold. <i>(Note that the institution may provide a meal or social function for an evaluation team or other Commission group provided that the function is conducted simply and at reasonable cost.)</i> 8. Act with appropriate fiscal moderation while conducting an institutional evaluation or other Commission activity and provide an accurate and honest reporting of all expenses incurred during that activity. 9. During an evaluation visit to an institution and for a period of one year after the evaluation has concluded with Commission action, refrain from seeking employment from, or any future relationship with, the institution under review. 10. During an evaluation visit to an institution and for a period of one year after the evaluation has concluded with Commission action, refrain from seeking to employ or otherwise hire or retain any employee of the institution under review. 11. Protect confidential information received through the Commission's processes and observe the Commission Policy on Confidentiality. 12. Refrain from commenting on the details of any institutional review in which they have been engaged unless compelled by legal process. 13. Cooperate in any legal process in which the Commission or its Board of Trustees or staff have become engaged, refrain from responding to any inquiries related to legal action made by institutions or their counsel, and direct such inquiries to Commission staff. <p>Policy on Objectivity and Conflict of Interest. Peer Reviewers, Evaluators and decision-makers must be able to render impartial and objective decisions on behalf of the Commission. Therefore, the Commission will not knowingly allow any person whose past or present activities could affect his or her ability to be impartial and</p>
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	<p>objective to participate in an institutional evaluation (Assurance Review-visiting team, Readers or Evaluators Panels, Review Committee, Focused Visit, Change Panel or Visit, Institutional Actions Council hearing, Appeals Panel, or AQIP process related to accreditation status). Participants Peer Reviewers will inform the staff of the Commission of any barrier to impartiality and objectivity known to them.</p> <p>Confirmation of Objectivity Form. Through the A Confirmation of Objectivity form is a document that a Peer Reviewer affirms a person's form affirms a commitment to, and capacity for, impartiality. Before participating in any the institutional evaluation visit each participant Peer Reviewer on an on-site evaluation team any the institutional evaluation visit each participant Peer Reviewer on an on-site evaluation team will sign a Confirmation of Objectivity form regarding each institution being evaluated. Before participating in any panel review, or decision-making Institutional Actions Council hearing or appeal, each Peer Reviewer will sign or orally agree to a Confirmation of Objectivity for each institution under consideration.</p> <p>The Confirmation of Objectivity form will identify situations involving conflict of interest as well as provide examples of other situations that raise the potential for conflict of interest. The form will require that the person disclose any such conflicts, predisposition, or affiliation that could appear to jeopardize objectivity. When appropriate, Commission staff will notify the institution of that potential and will consult with the individual Peer Reviewer individual Peer Reviewer and the institution regarding that person's suitability for the assignment. The Commission staff reserves final responsibility for determining whether the individual Peer Reviewer individual Peer Reviewer who has identified a potential bias or predisposition will participate in an institutional evaluation, review, or decision-making.</p> <p>Policy on Confidentiality. In all the Commission's accreditation processes, a Peer Reviewer must agree to keep confidential any information provided by the institution under review and information gained as a result of participating in any part of the Commission's review processes. Confidential information includes, but it not limited to:</p> <ol style="list-style-type: none"> 1. Information about the institution not available to the public through the institution's own program to share information and its reporting to the Federal Government (IPEDS); 2. Information the institution identifies as "proprietary" such as recruitment strategies including pricing policies, new strategic initiatives being considered or planned for, impending but not public changes in personnel, legal activities not yet part of the public record, planned acquisitions or mergers, courseware and software created by the institution for its own use; 3. Information provided to the team in the institutional self study report or Assurance Filing, and information made available to the team in the resource room or electronically including such documents as personnel files, minutes of meetings, transcripts of grievances and hearings, management letters from external auditors, reports from internal and external quality assurance activities (i.e., reports from specialized accrediting agencies or program reviews); 4. Information identified explicitly by the institution as "Confidential";
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	<p>5. In clinical settings, patient identity, history, and all other information related to the patient’s involvement with the clinic;</p> <p>6. Information shared orally during an on-site visit and any face-to-face hearing that might be part of the Commission’s review processes.</p> <p>Keeping information confidential requires that the Peer Reviewer not discuss or disclose institutional information except as needed to further the purpose of the Commission’s evaluation processes. It also requires that the Peer Reviewer not make use of the information to benefit any person or organization without having received institutional approval. Maintenance of confidentiality survives the evaluation visit and continues after the process has concluded.</p> <p>(Include revised policy on Independent Consulting here.)</p> <p>Violations of the Standards of Conduct. The Commission staff will investigate allegations that a Peer Reviewer has violated the Standards of Conduct and may ask the Peer Reviewer or others involved to provide information. If there is a determination that a Peer Reviewer has violated a Standard of Conduct, the President of the Commission may issue a letter of reprimand or may ask a Commission staff member to provide a verbal warning to the Peer Reviewer. The Commission may end the term of the Peer Reviewer prior to the regular completion date.</p> <p>Former policies: 5.1, “Objectivity and Conflict of Interest in Commission Processes”; 5.1(a), “Confirmation of Objectivity”; 5.3, “Confidentiality.” Policy history: 5.1 (Adopted February 2001, edited October 2003); 5.1(a) (edited October 2003); 5.3 (Adopted November 2006).</p>
<p>Policy PR.A.40-10</p>	<p>PEER REVIEWERS SERVING AS ORGANIZATIONAL INSTITUTIONAL CONSULTANTS (consolidate with the previous policy)</p> <p>Independent Consulting To avoid the appearance of possible conflict of interest in the accreditation process, no Peer Reviewer who evaluated an institution will serve as an independent consultant to that institution for a period of one three years following the official Commission accrediting action. In addition, no Peer Reviewer will participate in an evaluation of an institution for which that Peer Reviewer served as an institutional consultant in the previous ten years.</p> <p>Peer Reviewers will disclose all institutional consulting activities to the Commission on an annual basis and will agree to inform any institution with which the Peer Reviewer is developing a consulting relationship that the Peer Reviewer is acting in a personal capacity and is not representing the Commission.</p> <p>Any Peer Reviewer who violates this policy will be removed automatically from the Peer Review Corps.</p>

	Former policy: 8.2, “Peer Reviewers Serving as Organizational Consultants” Policy history: Adopted January 1983, edited October 2003.
	Other Policy Changes Required by these Changes
5.2	DELTE THE FOLLOWING POLICIES: Commitment to Equity and Diversity in the Peer Review Corps Policy subsumed in new introduction to Peer Review Policies
6.4 6.5	Completion of Service on the CE-Corps Termination of Service on the CE Corps Policies subsumed in revisions to TERMS OF APPOINTMENT
7.1 7.2	AQIP Reviewers Terms of Appointment