Policy on Rights, Responsibilities, and Good Practice in Relations with Member Institutions

the Rights and Responsibilities of the Commission and Member Institutions

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Background

Students, the public, higher education bodies, and various levels of government need assurance that an accredited institution is of high quality and possesses integrity. American higher education has chosen to use a voluntary, non-governmental, self-regulatory process to provide this assurance. Such a process must balance institutional autonomy, independence, and freedom with an institution’s responsibilities to its various constituencies. Therefore, the process must carefully delineate the rights and responsibilities of both the accrediting bodies and the institutions they accredit. Mutual understanding and respect for the rights and responsibilities of each party will assure that higher education remains fundamentally sound, responsible, responsive, and effective, so that the public may have confidence in the integrity and quality of educational institutions with a minimum need for government regulations.

Policy

The Commission is committed to partnering with a member institution in a voluntary non-governmental accreditation process that results in a mutual commitment to self-regulation, quality assurance to the public, and continuous institutional improvement. The Commission and its member institutions share rights and responsibilities to develop and promulgate Accreditation Standards and an agreed-upon accrediting process for comprehensive institutional evaluations. The institutional Chief Executive Officer is the chief representative of the institution to the Commission. The Commission communicates to the institution primarily through the Chief Executive Officer.

Accreditation as a system of voluntary, non-governmental, self-regulation, and peer review is unique to American educational institutions. It is a system by which an institution evaluates itself in accordance with standards of good practice regarding mission, goals, and objectives; the appropriateness, sufficiency, and utilization of resources; the usefulness, integrity, and effectiveness of its processes; and the extent to which it is achieving its intended student achievement and student learning outcomes, at levels generally acceptable for higher education. It is a process by which accreditors provide students, the public, and each other with assurances of institutional integrity and effectiveness and educational quality.

The Commission supports its member institutions through a collaboration that fosters institutional excellence and continuous improvement. Grounded by a set of core values, ACCJC's interaction with its members is guided by a commitment to the principles of collegiality, transparency, and consistency, which create mutual and clear understandings to ensure fair and value-adding results for institutions. The work of accreditation is mediated through the relationships that are formed among all the participants, characterized by mutual respect and engagement around common interests. In order to foster this relationship, the Commission and its member institutions fulfill their respective roles in the accreditation process in accordance with the following policy elements.

Policy Elements
A. Communication

Commission: The institutional Chief Executive Officer (CEO) is the chief representative of the institution to the Commission. ACCJC regularly communicates with institutions about matters of policy and institutional quality through the CEO and Accreditation Liaison Officer (ALO). Official correspondence between the Commission and an institution’s president is typically copied to the institution’s designated ALO; other types of communication may occur directly between the Commission staff and the ALO.

Institution: The CEO has the primary leadership role for accreditation, ensuring that the institution meets or exceeds Eligibility Requirements, Accreditation Standards, and Commission policies at all times\(^1\). The CEO ensures that institutional accreditation standards have primacy over other specialized accrediting agency recognition or other institutional, local, or regional requirements to comply with the Eligibility Requirements, Accreditation Standards, and Commission policies. The CEO sets the expectations of the accreditation process and is responsible for disseminating accreditation information to its college community. The CEO must designate an ALO at the institution who is a critical point of contact with the Commission.\(^2\)

A.B. Development and Promulgation of Commission Standards

Commission: The Commission has the responsibility to develop and promulgate standards which are consistent with the purposes of accreditation, which are sufficiently flexible to allow diversity of institutional missions and effective program development. The Commission has the responsibility to develop and promulgate Eligibility Requirements, Accreditation Standards, and Commission policies that meet the requirements of the U.S. Department of Education (USDE) regarding a member institution’s eligibility for Title IV, and which allow and encourage institutional programmatic freedom and autonomy, and allow the institution to exercise its rights within a reasonable set of parameters relevant to the quality of education.

The Commission has the responsibility to provide opportunities for broad participation of affected constituencies in the development and acceptance of the Eligibility Requirements, Accreditation Standards, and Commission policies, and to permit institutional input on new or revised policies by providing for an opportunity for review at public meetings of the Commission and to consider such input from a member institution when making changes to the Eligibility Requirements, Accreditation Standards, and Commission policies.

Institution: A member institution has the responsibility to participate in development of the Eligibility Requirements, Accreditation Standards, and Commission policies and in the Commission’s

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\(^1\) The Eligibility Requirements, Accreditation Standards, and Commission policies together represent the Commission standards. Implementing procedures can be found in the ACCJC Guides and Manuals.

\(^2\) ACCJC Accreditation Standard IV.B.4

\(^3\) ACCJC Policy on the Role of the Accreditation Liaison Officer

\(^4\) ACCJC Policy on Review of Accreditation Standards
Manuals.
periodic reviews of them. The Commission has the responsibility to develop and promulgate Eligibility Requirements, Accreditation Standards, and Commission policies that meet the requirements of the U.S. Department of Education (USDE) regarding a member institution’s eligibility for Title IV. The institutional Chief Executive Officer and the Accreditation Liaison Officer have the responsibility to communicate and promulgate information to their institutional constituencies about the Eligibility Requirements, Accreditation Standards, and Commission policies, any changes to them, and the institution’s plans for changes needed to comply with them. A member institution has the responsibility to communicate directly to the Commission any comments on or concerns about the Commission’s Eligibility Requirements, Accreditation Standards, and policies.

B.C. Institutional Records of Accreditation

Commission:
The Commission has the responsibility to maintain formal records of accreditation from the previous accreditation cycle and current cycle of comprehensive reviews including institutional reports (such as the Institutional Self Evaluation Report, Follow Up Report, Midterm Report, Special Report, Substantive change applications), team reports, annual reports and annual fiscal reports, and action letters. The Commission has the responsibility to provide, when requested, copies of correspondence formal accreditation records pertaining to that institution to the Chief Executive Officer and, when appropriate, to the Accreditation Liaison Officer.

Institution:
A member institution has the responsibility to develop an effective mechanism to ensure the internal coordination of accreditation activities. A member institution has the responsibility to maintain all correspondence and records on the accreditation history of the institution, and on including ACCJC substantive change applications and the outcomes of the application actions and administrative approvals. An institution may share records of the institution’s accreditation history, as appropriate, within the campus community.

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C. Information Collection

The Commission has the responsibility to specify items to be addressed in all reports to the Commission, require only information that is relevant to the Eligibility Requirements, Accreditation Standards, and Commission policies, and respect the confidentiality of information required and evaluated in the accreditation process. The Commission also collects information required by USDE regulations.

A member institution has the responsibility to determine how to design and conduct the institutional self-evaluation process, involve broad and appropriate constituent groups in the preparation and process of the Self Evaluation Report of Educational Quality and Institutional Effectiveness, disclose to the Commission all information which is required to carry out the Commission evaluation and accreditation functions and respect the confidentiality of information required and evaluated in the accreditation process.

A member institution has the responsibility to maintain records of formal student complaints and grievances between each review cycle, and make them available to the Commission and peer review team upon request, in accord with federal regulations. A member institution must submit substantive change proposals for approval by the Commission before such
substantive changes are implemented.

D. Site Visits and Reviews

Peer Review Process

1. Visits

Commission:
The Commission has the right to: visit an institution on the initiative of the Commission, only after notice is provided to the institution; conduct site visits as required under the Commission’s adopted accreditation processes and policies; and modify its visit process with appropriate notice. The Commission has the responsibility to provide sufficient notice and time for institutions to prepare for scheduled visits, exercise its discretion whether or not to conduct joint, concurrent, coordinated, consolidated, or phased visits when requested by an institution; and note in its accreditation documents any attempt by professional organizations, collective bargaining groups, or special interest groups to impede or interfere with participation in the educational quality and institutional effectiveness review process and visit. The Commission has the right to monitor and report as required by USDE regulations for recognized accrediting agencies.

Institution:
The institution is responsible for notifying the college community about scheduled visits, and for facilitating the opportunity for communication between relevant institutional representatives and the peer review team as required by the visit. The institution has the right to request adjustments to a scheduled visit when extraordinary and unforeseeable circumstances significantly impact a college’s operations. A member institution has the right to request the Commission to hold joint, concurrent, coordinated, consolidated, or phased visits; and review the list of proposed peer review team members in order to avoid potential conflicts of interest.

2. Third Party Comment for Comprehensive Accreditation or Pre-Accreditation (Candidacy) Visits

Commission:
A third-party comment assists the Commission as it considers applications for candidacy, accreditation, or reaffirmation of accreditation. Commission staff will review all third-party comments for applicability to Commission standards and which are received no later than five weeks before the peer review team visit. Commission staff is responsible for providing institutions an opportunity to review applicable third-party comments.

Institution:
When an institution is undergoing a comprehensive review, the institution is responsible to notify the campus community and public six months prior to the visit of the opportunity and process for submission of third-party comments. Any member of the college community or public may submit a third-party comment by completing the Commission’s online third-party form, available via the institution’s website or ACCJC’s website. In order to ensure evaluation of applicable third-party comments by the peer review team, third-party comments should be received by the Commission staff no later than five weeks before the peer review team visit.

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5 ACCJC Policy on Commission Actions; ACCJC Policy on Monitoring Institutional Performance
6 34 C.F.R. §602.23 (b)
3. Peer Review Teams

Commission:
The Commission has the responsibility to select peer review team members, who are competent by virtue of experience, training, and orientation, and are sensitive to the unique mission of the institution. Teams will include both academic and administrative representatives. Faculty members will be included among the academic representatives on comprehensive peer review teams. Prior to the selection of the peer review team, the Commission will consult with the institution to determine any special needs or concerns. The Commission has the responsibility to assure that peer review team members are impartial, objective, and without conflict of interest and that the peer review team is of an appropriate size and composition for the purposes of the site-visit. The Commission has the responsibility to assure that team members keep confidential all institutional information pertaining to the peer review process.7

Institution:
The institution has the right and responsibility to review the team members and report any conflicts of interest or concerns to the Commission before the team composition is finalized. The Commission has the responsibility to assure that team members keep confidential all institutional information examined or heard before, during, and after the site visit.

The Commission has the responsibility to set the length of a site visit, ordinarily three days for a review and one or more days, as needed, for a follow up or any other special visit. The Commission has the responsibility to set the dates of the site visit in consultation with the institution.

3. Peer Review Team Reports

Commission:
The Commission also has the responsibility to communicate its findings derived from the site visit to the institution; ensure that the draft Peer Review Team Report identifies and distinguishes clearly between findings, conclusions and recommendations related to deficiencies in meeting the Eligibility Requirements, Accreditation Standards and Commission policies, and those recommendations representing suggestions for quality improvement. When applicable, the Peer Review Team Report will include commendations which note areas of exceptional practice when the institution exceeds Standards.

The Commission will provide the Chief Executive Officer of the institution CEO with an opportunity to correct all factual errors in the team chair’s draft External Evaluation Report Peer Review Team Report; and to provide supplemental materials pertinent to the facts that were available at the time of the visit and conclusions in the External Evaluation Report draft Peer Review Team Report before the Commission takes action on the accredited status of the institution Institutional Self Evaluation and External Evaluation Report. The Commission does not consider new evidence or updates that were not available at the time of the visit in its decision making process.

Institution:
The institution’s CEO is responsible for reviewing the team chair’s draft Peer Review Team Report.

7 ACCJC Public Disclosure and Confidentiality in the Accreditation Process; ACCJC Statement on the Process for Preserving Confidentiality of Documents Related to Institutional Evaluations
Report to make corrections on errors of fact. The institution’s CEO has the right to provide supplemental materials related pertinent to the facts in the Peer Review Team Report before the Commission takes action. Supplemental materials must be information that was available at the time of the team visit. The written response may also pertain to the conduct of the peer review process.

The CEO has the opportunity to appear before the Commission (in person or via tele/video conference) to present oral comments in closed session. The oral comments must pertain to the facts of the draft Peer Review Team Report or evidence that was available or presented at the time of the visit, or the conduct of the peer review process.

A member institution has the responsibility to provide maximum opportunity for communication between all relevant constituencies and the peer review team, and ensure that professional organizations, collective bargaining groups, or special interest groups not impede or interfere with reports, visits, and reviews. A member institution also has the responsibility to make the External Evaluation Report available to the public. A member institution has the responsibility to acknowledge that specialized accrediting agency recognition, local governmental requirements and/or collective bargaining agreements, in and of themselves, do not abrogate or substitute for institutional and employee obligations to comply with the Eligibility Requirements, Accreditation Standards, and Commission policies.

E. Accreditation Decisions

A member institution has the right to withdraw a request for any status of accreditation at any time prior to the decision on that request. A member institution also has the right to appeal an accreditation decision to deny accreditation or to terminate accreditation in accordance with the policies of the Commission and to maintain accredited status during the appeal. A member institution has the right to withdraw from Commission membership by sending a written notice to the Commission of the intent to withdraw as of the end of the institutional semester or term. Ordinarily, the notice must be sent with adequate time for the Commission to approve the request at its next scheduled meeting prior to the anticipated date of withdrawal of accreditation.

The Commission has the responsibility to: permit the withdrawal of a request for any status of accreditation at any time prior to the decision on that request; require an institution voluntarily withdrawing from Commission membership to take appropriate steps to notify its student body, the U.S. Secretary of Education, appropriate state/governmental licensing and authorizing agencies, and the public, and where appropriate to follow the Commission’s Policy on Closing an Institution; make decisions solely on the basis of published standards, policies, and procedures using information available and made known to the institution; avoid conflicts of interest in the decision-making process; and ensure the confidentiality of the deliberations in which accreditation decisions are made, and observe due process in all deliberations.

Commission:

In its decision making process, the Commission will use the Eligibility Requirements, Accreditation Standards, and Commission policies (together Commission’s Standards), along with information in the Institutional Self Evaluation Report, college Follow Up reports and other required reports, Peer Review Team Reports, Annual Reports, external audits, written supplemental information provided by the institution in response to the final team report, written or oral testimony before the Commission, or other relevant information.

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8 The Commission meets in January and June of each calendar year to take actions on institutions.
brought to the Commission’s attention pertaining to compliance with the Commission’s Standards.

The Commission, through its President, will afford institutions an opportunity to provide written or oral testimony before making any decision on the institution’s compliance with any Accreditation Standards or other deficiencies that will become part of the basis for sanction or denial or withdrawal of accreditation or candidacy. This opportunity is also afforded in cases when the Commission’s action on an institution are based upon any deficiency which has not been noted as part of an accreditation review in the peer review team report, Institutional Self-Evaluation Report or other institutional report, or in the submitted annual reports and audit reports. In its response, the institution also may address any asserted procedural errors.

The Commission also has the responsibility to: notify institutions promptly in writing of accreditation decisions and give reasons for the actions; ensure that the communication of the final accreditation decision identifies and clearly distinguishes between recommendations related to deficiencies in meeting the Eligibility Requirements, Accreditation Standards and Commission policies and recommendations representing suggestions for quality improvement; publish accrediting decisions, both affirmative and negative, except for initial denial of candidacy or eligibility (which are not made public); and maintain the confidentiality of the draft Peer Review Team Report External Evaluation Report until after the Commission has acted on it. The Commission may require that corrective action be taken if an institution releases information misrepresenting or distorting any accreditation action taken by the Commission or the status of its affiliation with the Commission. If the institution is not prompt in taking corrective action, the Commission may release a public statement providing the correct information.

Institution:
The CEO has the right to appear before the Commission (in person or via tele/video conference) to present written or oral comments in closed session of the Commission before the Commission takes action on the institution’s accredited status.

A member institution has the responsibility to accept the Commission’s action after availing itself of its due process rights afforded in Commission policy, and to make public the Commission’s action letter and the accompanying final Peer Review Team Report, as well as associated institutional reports, the Institutional Self Evaluation Report. A member institution has the responsibility to uphold the credibility and integrity of the accreditation process by accurately portraying the Commission’s actions and helping institutional constituencies to understand the Eligibility Requirements, Accreditation Standards, and Commission policies pertinent to an accreditation action taken on an institution. A member institution has a responsibility to respond to the team or Commission requirements and/or recommendations within the time parameters set by the Commission. A member institution has the right to appeal adverse accreditation decisions.

F. Third Party Comment for Candidacy, Accreditation, or Reaffirmation of Accreditation

A third-party comment assists the Commission as it considers applications for candidacy, accreditation, or reaffirmation of accreditation. When an institution is undergoing a review, the Commission requires the institution’s chief executive officer to notify the campus community and public 6 months prior to the comprehensive review of the opportunity and process for submission of third-party comments. Third-party comments may be submitted by

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9 ACCJC Policy on Public Disclosure and Confidentiality in the Accreditation Process
10 ACCJC Policy on Institutional Appeals
completing the Commission’s online form or submitted in writing, signed, and accompanied by the affiliation, return address and telephone number of the correspondent. Commission staff will review all third-party comments to assess its applicability to Eligibility Requirements, Accreditation Standards, or Commission policies. In order to ensure evaluation of applicable third-party comments by the peer review team, third-party comments should be received by the Commission staff no later than five weeks before the peer review team visit. Institutions will be provided an opportunity to review applicable third-party comments.

Follow-Up: Ongoing Quality Assurance

Commission:

The Commission has the responsibility to support improvement of the educational effectiveness of an institution and work with the institution to identify appropriate assistance. As part of its role in assuring the public of quality education based on the Commission standards and policies, the Commission must make sound and consistent decisions based on the evidence provided in required reports. Thus in order to effectively monitor the conditions of an institution in meeting standards, the Commission has the right to take action to assure that a member institution meets its responsibilities and to require institutions to provide periodic reports, special reports, annual reports, additional visits, evidentiary documents, and/or documents prepared by external third parties, such as external audits, as well as require additional visits and consultative activities relevant to the institution’s accreditation status. The Commission has the right to request the reevaluation of an institution at any time as a means for monitoring specific developments within an institution between comprehensive evaluations.

Institution:

A member institution has the responsibility to uphold the credibility and integrity of the accreditation process and collegial peer review process by helping institutional constituencies to understand the Eligibility Requirements, Accreditation Standards, and Commission policies pertinent to an accreditation action; making required improvements in response to Commission decisions and action letters in order to come into compliance with standards; ensuring compliance with standards at all times in pursuit of educational excellence and accomplishment of its unique mission.

If a member institution fails to make complete, accurate and honest disclosure of information required by the Commission, or if the institution does not comply with Commission requests, directives, decisions and policies, and make complete, accurate, and honest disclosure, then the Commission may act to impose a sanction, or to deny or revoke candidacy or accreditation.

Special Report and Visit

The Commission requests a special report when it receives information that raises significant concerns about the institution’s compliance with Eligibility Requirements, Accreditation Standards, and/or Commission policies. The institution may be required to provide a narrative report, evidentiary documents, and/or documents prepared by external third parties, such as external audits. The Commission may require a team visit, which will be scheduled after the due date for the special report. The Commission’s letter requesting a special report will identify all specific requirements to be addressed by the institution.

11 ACCJC Policy on Commission Actions; ACCJC Policy on Monitoring Institutional Performance; ACCJC Policy on Substantive Changes; and ACCJC Eligibility Requirement 21
The Commission has the responsibility to provide written notice to the institution of the action taken in relation to a special report or visit, support improvement of the educational effectiveness of an institution, and work with the institution to identify appropriate assistance.