



ACCREDITING COMMISSION FOR
COMMUNITY AND JUNIOR COLLEGES
WESTERN ASSOCIATION OF SCHOOLS AND COLLEGES

Compendium of Institutional and Operational Policies

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Policy on Accreditation of Baccalaureate Degrees

January 2021

General Requirements

Member institutions which seek to gain accreditation for a baccalaureate degree program will first need to gain substantive change approval.¹ That approval may include the requirement for a follow-up report and team visit to address specific issues identified by the Substantive Change Committee and to verify that the institution remains in compliance with Eligibility Requirements, Accreditation Standards, and Commission policies as the program implementation moves forward.

Upon completion of the substantive change requirements and following approval, the baccalaureate degree program will be expected to demonstrate and maintain compliance with Eligibility Requirements, Accreditation Standards, and Commission policies as part of an accredited institution. As part of an institution's comprehensive evaluation, both the institutional self-evaluation report (ISER) and the evaluation team report will be expected to specifically address the compliance of the baccalaureate degree program with all applicable Accreditation Standards, Eligibility Requirements, and Commission policies.

Institutional Baccalaureate Degree Offerings

ACCJC is authorized by the U.S. Department of Education to accredit institutions which have as a primary mission the granting of associate degrees², but which may also award certificates and other credentials, including bachelor's degrees, where the provision of such credentials is within the institution's mission and, if applicable, as authorized by their governmental authorities. The U.S. Department of Education's approval of this scope is the means by which institutions and their programs may qualify for federal student aid and federal aid to postsecondary institutions.

Per the *Substantive Change Manual* and *Guide to Institutional Self-Evaluation, Improvement, and Peer Review*, an institution preparing an Institutional Self Evaluation Report for purposes of initial approval or reaffirmation of accreditation must specifically address and provide evidence of its practices as to the baccalaureate degree and how those practices meet the Eligibility Requirements, Accreditation Standards, and Commission policies.

Adopted June 2016; Revised January 2021

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¹ See the *Policy on Substantive Change* and the Manual on Substantive Change for articulation of the policies and procedures related to substantive change.

² In accordance with the bylaws of ACCJC, the operational definition of having as a primary mission the granting of associate degrees includes the following: 75% of the programs offered by the institution must be at the Associate degree or pre-Associate degree college level, and 60% of students at the institution must be in Associate degree or pre-Associate Degree level programs. A primarily two-year higher education institution may offer baccalaureate degrees without regard to these percentages.

Policy on Closing an Institution

June 2022

Background

A decision to close an educational institution is a serious one that requires thoughtful planning and careful consultation with all affected constituencies. Planning and consultation is equally important when implementing a closure that results from loss of state authorization or licensure, or for other reasons. Every effort should be devoted to informing each constituency, as fully and as early as possible, about the conditions requiring consideration of a decision of such importance.

Most institutions of higher education are entities established under the provisions of state or national law, and as such may have legal responsibilities (holding title to real property, for example) that may necessitate its continued existence after the educational activities of the institution have been terminated. In most cases an institution's existence and educational activities will not be terminated simultaneously. This policy makes only incidental reference to such organizational responsibilities and always in the educational context. It is imperative that a governing board, considering closing an institution under its care, should be guided not only by the following policy and by the state or appropriate authorizing education authorities, but also by advice of legal counsel.

Before a decision to close an institution is finalized, the governing board should consider carefully such alternatives as merging with another institution, forming a consortium, or participating in extensive inter-institutional sharing and cooperation. As much as possible, the determination to close an institution should involve a consultative process, but responsibility for the final decision to close rests with the governing board.

The decision to close requires specific plans for appropriate provisions for students, faculty and staff and for the disposition of the institution's assets. Failure to plan adequately will increase the inevitable distress to students, faculty, and staff.

Involuntary closure, or the threat of involuntary closure, resulting from loss of state licensure or authorization or from withdrawal of accreditation, will necessitate similar planning.

Policy¹

When a decision to close an institution has been made, or when involuntary closure of the institution is imminent, the institution's governing board must fully inform all affected constituents of the potential or expected closure as early as possible, and make provision for student completion of programs and the securing of student records. The institution, through its chief executive officer and governing board must also promptly notify the Commission, and must

¹ 34 C.F.R. § 602.24(c).

develop a Closure Plan and submit it to the Commission for substantive change review prior to closure.²

The Closure Plan should include the institution's teach-out plan and applicable teach-out agreements in accordance with the Commission's *Policy on Teach-Out Plans and Agreements*. Institutions ordered on Show Cause may also be required to complete a Closure Plan if closure is impending.

An institution considering closure must address in its Closure Plan the following elements, each of which is discussed in more detail below:

- Student completion;
- Disposition of academic records and financial aid transcripts;
- Provisions for faculty and staff;
- Disposition of assets;
- Obligations to creditors;
- Coordination with the Accrediting Commission for Community and Junior Colleges; **and**
- Key governing board obligations.

Closure Plan Elements

A. Student Completion

Institutions considering closing, and institutions implementing a closure after loss of state authorization or licensure, or for other reasons, must provide for the academic needs of students who have not completed their degrees and educational programs. Arrangements for transfer to other institutions will require complete academic records and all other related information gathered in dossiers which can be transmitted promptly to receiving institutions. Agreements made with other institutions to receive transferring students and to accept their records must be submitted to the Accrediting Commission for Community and Junior Colleges (ACCJC) for approval. Where financial aid is concerned, particularly federal or state grants, arrangements must be made with the appropriate agencies to transfer the grants to the receiving institutions. In cases where students have held institutional scholarships or grants and there are available funds that can legally be used to support students while completing degrees and educational programs at other institutions, appropriate agreements must be negotiated. Where such arrangements cannot be completed, students must be fully informed. Institutions considering closing must use as their guide the equitable treatment of students by providing for the educational needs of students who have not completed their degrees and educational programs.

When a student has completed 75% of an academic degree and educational program in the closing institution and chooses to continue at another institution, arrangements shall be made to permit that student to complete the requirements for a degree and educational program elsewhere, but to receive the degree and educational program from the closed institution. The receiving institution must provide an educational program that is of acceptable quality and reasonably similar in content, structure, and scheduling to that provided by the institution that is closing. Such arrangements should also include provision for continuation of the institution's accreditation by the Commission for this purpose only.

² Please refer to the *Policy on Substantive Change*.

These steps normally require the institution to continue as a legal organization for 12 to 18 months beyond the closing date, but any such arrangements must be established in careful consultation with the appropriate authorities and with their written consent. The institution that is closing must demonstrate that it shall remain stable, carry out its mission, meet all obligations to existing students, and demonstrate that it can provide students access to the programs and services without requiring them to move or travel substantial distances. The institution must provide students information about additional charges and costs, if any.

B. Disposition of Academic Records

All academic records, financial aid information and transcripts, and other student or student-related records must be prepared for permanent filing, including electronic filing. Arrangements must be made with another college or university or with the state archives to preserve the records. Notification must be sent to every current and past student indicating where the records are being stored and what the accessibility to those records will be. Where possible, a copy of a student's record should also be forwarded to the individual student. The Commission must be notified of the location where student permanent records will be stored. All other business records of the institution must be retained in accordance with applicable laws and policy.

C. Provisions for Faculty and Staff

The institution must arrange for continuation of those faculty and staff who will be necessary for the completion of the institution's work up to and after the closing date. It should be understood that the institution can make no guarantees, but genuinely good faith efforts should be made to assist faculty and staff in finding alternative employment. In the event that faculty or staff members find new positions, early resignations should be accepted.

D. Disposition of Assets

Determinations must be made to allocate whatever financial resources and assets remain after the basic needs of current students, faculty, and staff are provided. Institutional assets must be used in ways that would honor the intentions of the original providers. When the financial resources of the institution are inadequate to honor commitments, including those to the Commission, the governing board shall investigate what alternatives and protection are available under applicable bankruptcy laws before deciding to close. If funds are insufficient to maintain normal operations through the end of the closing process, the institution should consider the possibility of soliciting one-time gifts and donations to assist in fulfilling its final obligations.

In the case of a not-for-profit institution, state or national laws regarding the disposition of funds and institutional assets must be meticulously followed. Arrangements for the sale of the physical plant, equipment, the library, special collections, art, or other funds must be explored with legal counsel. In the case of wills, endowments, or special grants, the institution must discuss with the donors, grantors, executors of estates, and other providers of special funds arrangements to accommodate their wishes.

E. Obligations to Creditors

The institution must establish a clear understanding with its creditors and all other agencies involved with its activities to assure that their claims and interests will be properly processed.

Insofar as possible, the institution shall assure that its final arrangements will not be subject to later legal proceedings which might jeopardize the records or status of its students or faculty. All concerned federal, national and state agencies need to be apprised of the institution's situation, and any obligations relating to estate or governmental funds need to be cleared with the appropriate agencies.

Every effort shall be made to develop publicly defensible policies for dividing the resources equitably among those with claims against the institution. One of the best ways of achieving this goal is to involve potential claimants in the process of developing the policies. Time and effort devoted to carrying the process to a judicious conclusion may considerably reduce the likelihood of lawsuits or other forms of confrontation.

It is impossible to anticipate in advance the many claims that might be made against remaining resources of an institution, but the following three principles may help to identify and prioritize possible claims and to set priorities:

1. Students have the right to expect basic minimal services during the final term, not only in the academic division, but also in the business office, financial aid office, registrar's office, counseling, and other essential support services. Staff must be retained long enough to provide these services. It may be appropriate to offer special incentives to keep key personnel present.
2. Reasonable notice must be given to all employees, explaining the possibility of early termination of contracts and that the reasons for retaining some personnel longer than others are based on satisfying the minimal needs of students and the legal requirements for closing.
3. Every effort shall be made to honor long-term financial obligations (loans, debentures, etc.) even though the parties holding such claims may choose not to press them.

F. Coordination with the ACCJC

The ACCJC and specialized accrediting bodies must be consulted and kept fully apprised of developments as the plan to close an institution progresses. Arrangements must be completed with the ACCJC in advance of closure in order to assure that a legally authorized and accredited institution awards degrees. A final report on the closing must be submitted to the ACCJC for its records. The ACCJC must also be notified of the location where student records will be stored.

G. Key Governing Board Obligations

The governing board must take a formal vote to terminate the institution on a specified date. That date will depend on a number of factors including the decision to file or not to file for bankruptcy. Another key factor is whether or not all obligations to students will have been satisfactorily discharged. This is particularly important if the decision is made to allow students to graduate from the institution by completing their degree requirements elsewhere. If such arrangements are made, the governing board must take the legal action necessary to permit awarding degrees after the institution otherwise ceases to function. Normally, a formal vote to award a degree is made after all requirements have been met, but it is legally possible to make arrangements for a student to complete the requirements for a degree at

another institution and to receive the degree from the closed institution. These requirements must be clearly specified along with a deadline for completion. Also the governing board must identify the person or persons authorized to determine whether or not these requirements have in fact been satisfied. Arrangements must be completed with the Commission in advance in order to assure that a legally authorized and accredited institution awards degrees.

Adopted June 2004; Revised January 2011; Edited June 2012, October 2013; Revised June 2014, June 2015; Edited June 2022

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Policy on Commission Actions on Institutions

June 2022

This policy sets forth the actions that may be taken on the accredited status of institutions by the Accrediting Commission for Community and Junior Colleges, Western Association of Schools and Colleges (ACCJC). Institutions applying for candidacy or initial accreditation and accredited institutions undergoing periodic evaluation for reaffirmation of accreditation will be reviewed by the Commission. The Commission will examine institutional evidence of student learning and achievement, the Institutional Self Evaluation Report, the Peer Review Team Report, and other relevant documents to determine whether the institution complies with the Eligibility Requirements, Accreditation Standards, and Commission policies (together Commission's Standards). The Commission will apply, as appropriate, one of the actions listed in this policy.

In the case when an accredited institution no longer demonstrates that it meets the Commission's Standards, the institution will be notified in the Commission action letter of the time it has to come into compliance, which must not exceed three years¹ after first receiving notification of any noncompliance with a standard.² If the institution cannot document that it has come into compliance within the designated period, the Commission will take adverse action. In extraordinary circumstances, the Commission may take immediate adverse action if an institution is egregiously out of compliance due to unlawful or unethical action³. In keeping with the provisions of the Higher Education Act of 1965, as amended, the Commission defines adverse actions for accredited institutions as withdrawal of accreditation; denial, or withdrawal for institutions seeking candidacy; and denial for institutions seeking initial accreditation.

The Commission will not condition the granting of candidacy, initial accreditation, or reaffirmation of accreditation on the payment of any fees which are not approved by the Commission for payment of annual dues, evaluation costs, or other fees and assessments to the Accrediting Commission for Community and Junior Colleges, Western Association of Schools and Colleges (ACCJC).

Actions on Accredited Status

I. Actions on Institutions that are Applicants for Candidacy

Grant Candidacy. Candidacy is a pre-accreditation status granted to institutions that have successfully undergone eligibility review⁴ as well as a comprehensive evaluation process using the Accreditation Standards, including preparation of an Institutional Self Evaluation Report and a review by peer review team. Candidacy is granted when the institution

¹ CFR § 602.18

² The Eligibility Requirements, Accreditation Standards, and Commission policies together comprise the Commission's Standards. College deficiencies may result in noncompliance with a standard that is in the Eligibility Requirements, Accreditation Standards, or in Commission policies.

³ CFR § 602.20 (b)

⁴ See the *Policy on Eligibility to Apply for Accredited Status*.

demonstrates the ability to meet all the Accreditation Standards and Commission policies, or to fully meet them within the two-year candidate period.

Candidacy indicates that an institution has achieved initial association with the Commission and is progressing toward accreditation. During candidacy, the institution undertakes the necessary steps to reach demonstrable and complete compliance with Accreditation Standards.

Grant Initial Accreditation. Initial accreditation may be granted to applicants for candidacy after a comprehensive institutional evaluation demonstrating that the institution is in compliance with the Eligibility Requirements, Accreditation Standards, and Commission policies (together Commission's Standards). The institution is required to submit a Midterm Report midway through the seven-year accreditation cycle. The institution must be fully evaluated again within a maximum of seven years from the date of the Commission action granting initial accreditation.

Deny Candidacy. Candidacy is denied when the Commission determines, on review of the institution's initial comprehensive evaluation for candidacy, that the institution has demonstrated that it does not meet all of the Eligibility Requirements, or does not meet a significant portion of the Accreditation Standards and Commission policies, and therefore cannot be expected to meet all Accreditation Standards and Commission policies within a two-year period. Denial of candidacy is subject to a request for an appeal under the applicable policies and procedures of the Commission.

II. Actions on Institutions which are Applicants for Initial Accreditation

Grant Initial Accreditation. Initial accreditation may be granted after a comprehensive institutional evaluation, or a preaccreditation follow up review if the institution applies within two years of receiving Candidacy, demonstrating that the institution is in compliance with the Eligibility Requirements, Accreditation Standards, and Commission policies (together Commission's Standards). The institution is required to submit a Midterm Report midway through the seven-year accreditation cycle. The institution must be fully evaluated again within a maximum of seven years from the date of the Commission action granting initial accreditation.

Extend Candidacy. The Commission may extend candidacy in lieu of granting initial accreditation when the institution's application material does not demonstrate sufficient evidence indicating it has met the conditions for initial accreditation and has had candidacy for one two-year term. Candidacy can only be extended for a maximum of two years.

Withdraw Candidacy. Candidacy is withdrawn when the Commission determines that an institution has not maintained its eligibility for candidacy or has failed to explain or correct deficiencies of which it has been given notice. Withdrawal of Candidacy is subject to a request for an appeal under the applicable policies and procedures of the Commission. If candidacy is withdrawn, the institution may not reapply for candidacy for at least two years.

Deny Initial Accreditation. The Commission denies initial accreditation when an applicant institution is not in compliance with the Commission's Standards within the maximum period allowed for a college to remain in candidacy. A denial is subject to a request for an appeal under the applicable policies and procedures of the Commission. If initial accreditation is not granted, the institution may not reapply for candidacy for at least two years.

III. Actions on Accredited Institutions Actions that Reaffirm Accreditation

Reaffirm Accreditation. The institution is in compliance with the Eligibility Requirements, Accreditation Standards, and Commission policies (together Commission's Standards). The institution is reaffirmed accreditation for seven years and is required to submit a Midterm Report midway through the seven-year accreditation cycle.

Reaffirm Accreditation and Require a Follow-Up Report. The institution continues to demonstrate compliance with Eligibility Requirements, Accreditation Standards, or Commission policies, but has some minor deficiencies. The institution is required to submit a Follow-Up Report demonstrating that it has resolved the deficiencies. The Commission will specify the issues to be addressed and the due date of the Follow-Up Report. The period of reaffirmation is seven years. The institution is required to submit a Midterm report midway through the seven-year cycle.

Reaffirm Accreditation for 18 months and Require a Follow-Up Report. The institution has significant deficiencies with Eligibility Requirements, Accreditation Standards, and Commission policies. The institution is required to submit a Follow-Up report demonstrating that it has resolved all cited deficiencies. The Commission will specify the issues to be addressed and the due date of the report, with or without peer review team visit. The period for reaffirmation will be 18 months. Upon successful resolution of the cited deficiencies as demonstrated in the Follow-Up Report, and if applicable Follow-Up Team Report, the institution will be reaffirmed for the remainder of the seven-year accreditation cycle. If the institution does not resolve the deficiencies, the Commission may take the following actions:

- Defer action, require a second follow up report and specify additional information required for submission, not to exceed 12 months, with or without a peer review team visit. The accredited status of the institution continues until the Commission considers the institution's status in the designated timeframe.
- Place the college on sanction (warning, probation, or show cause) depending on the severity of noncompliance and based on the conditions of the college and its history of compliance, require a second follow up report not to exceed 18 months, with or without a peer review team visit.

Whether the Commission defers action or places the college on sanction, the time the College has to come into compliance must not exceed three years from the Commission's initial written notification indicating the College's noncompliance with any standards or policies.

Sanctions

Sanctions serve as an indicator of the severity of noncompliance by an institution. The determination is based upon the conditions of the college.

Warning. An institution has been determined by the Commission not to meet one or more standards, the deficiencies lead to serious noncompliance with the Standards, and Reaffirmation for 18 months is not warranted. When the Commission finds that an institution is out of compliance with the Commission's Standards to an extent that gives concern to the Commission, it may **issue Warning** to the institution to correct its deficiencies, refrain from certain activities, or initiate certain activities, and meet the standards. The Commission may

also **issue Warning** if the institution has acknowledged within its Institutional Self Evaluation Report or Special Report the deficiencies leading to serious noncompliance, and has demonstrated affirmative steps and plans to fully resolve the deficiencies within twelve months. The Commission will specify the time within which the institution must resolve the deficiencies and demonstrate compliance, generally twelve to eighteen months. During the Warning period, the institution will be subject to reports and visits at a frequency to be determined by the Commission. If Warning is issued as a result of the institution's comprehensive review, reaffirmation is delayed during the period of Warning. The accredited status of the institution continues during the Warning period.

Probation. An institution has been determined by the Commission not to meet one or more standards, and there is a serious concern on the part of the Commission regarding the level and/or scope of the noncompliance issues. When an institution deviates significantly from the Commission's Standards, but not to such an extent as to warrant a Show Cause mandate or the termination of accreditation, the Commission will **impose Probation**. The Commission may also **impose Probation** when the institution fails to respond to conditions placed upon it by the Commission, including a Warning. The Commission will specify the time within which the institution must resolve deficiencies and demonstrate its compliance with the Commission's Standards, generally twelve to eighteen months. During the Probation period, the institution will be subject to reports and visits at a frequency to be determined by the Commission. Institutions placed on Probation are required to submit a teach-out plan in accordance with the Commission's Policy on Teach-Out Plans and Agreements. If Probation is imposed as a result of the institution's comprehensive review, reaffirmation is delayed during the period of Probation. The accredited status of the institution continues during the Probation period.

Show Cause. When the Commission finds an institution to be in substantial noncompliance with the Commission's Standards, it will **mandate Show Cause**. The Commission may also **mandate Show Cause** when the institution has not responded to the previous conditions imposed by the Commission. Under Show Cause, the institution is required to demonstrate why its accreditation should not be withdrawn at the end of a stated period by providing evidence that it has corrected the deficiencies noted by the Commission and is in compliance with the Commission's Standards. In such cases, the burden will rest on the institution to demonstrate why its accreditation should be continued. The Commission will specify the time within which the institution must resolve deficiencies and meet the standards. Institutions placed on Show Cause are required to submit a teach-out plan and teach-out agreement in accordance with the Commission's Policy on Teach-Out Plans and Agreements. While under a Show Cause mandate, the institution will be subject to reports and visits at a frequency to be determined by the Commission. If Show Cause is mandated as a result of the institution's comprehensive review, reaffirmation is delayed pending the institution's ability to demonstrate why its accreditation should be continued. The accredited status of the institution continues during the period of the Show Cause mandate.

Actions Related to Commission Withdrawal of Accreditation

Withdraw Accreditation for Noncompliance. If in the judgment of the Commission, an institution has not satisfactorily explained or corrected deficiencies of which it has been given notice, or has taken an action that has placed it significantly out of compliance with the Eligibility Requirements, Accreditation Standards, and Commission policies (together Commission's Standards), its accreditation may be withdrawn. The Commission will give the institution written reasons for its decision. Commission withdrawal of an institution's

accreditation is subject to a request for an appeal under the applicable policies and procedures of the Commission. The accredited status of the institution continues pending completion of any appeal process the institution may request. Otherwise, the institution's accreditation ends on the date when the time period permitting such a request expires. In such a case, the institution must complete the entire accreditation process beginning with Eligibility Review and then Candidacy to regain its accreditation.

Administratively Withdraw Accreditation. The Commission may administratively withdraw the accreditation of a member institution for nonpayment of dues, costs incurred as part of an evaluation team visit, or special assessments, following provision of notice to the institution of nonpayment and sufficient time to pay, and upon providing 60 days' notice of the impending withdrawal action.

Other Actions

Defer Action. The Commission may postpone its decision on the candidacy or initial accreditation of an institution pending receipt of specific documentation, as identified by the Commission that is needed in order to grant candidacy or initial accreditation. The deferral may be for a period not to exceed twelve months.

The Commission may postpone a decision on the reaffirmation of accreditation of an institution pending receipt of specified additional information from the institution. The response from the institution may be followed by a visit addressed primarily to the reasons for the deferral. The Commission will specify the nature, purpose, and scope of the information to be submitted and of the visit to be made. The accredited status of the institution will continue during the period of deferral. The deferral may be for a period not to exceed twelve months.

Grant Good Cause Extension. In exceptional situations, if the institution has done all within its authority to reach compliance on any standard but remains out of compliance after the time allocated by the Commission for coming into compliance, the Commission is permitted by regulations to allocate a Good Cause Extension for the college to reach compliance prior to acting.⁵ The Commission may grant a good cause extension for the following reasons:

- a) The institution has completed a great amount of work on needed changes. The Commission projects the institution has the resources necessary to achieve compliance, additional time is reasonable, and grants no more than one year to complete the work.
- b) It is necessary to provide additional time for an institution to resolve a deficiency because the institution is dependent upon, or requires coordination with, other controlling agencies, third-party entities, or outside organizations.
- c) Exigent reasons beyond the control of the institution have negatively impacted an institution's ability to meet the timeline to resolve deficiencies.

When a Good Cause Extension is granted by the Commission, it shall not exceed one year. No Good Cause Extension will be granted if there is risk to the students in regard to academic quality or to the sustained viability of the institution, or if the period of noncompliance contributes to the cost of the program to the student without the student's

⁵ CFR § 602.18(d)(1); § 602.20(a)(3)

consent or creates any undue hardship on, or harm to, students. The Commission will require that a report be submitted by an institution and/or a site visit be conducted to verify sustained compliance with the Commission's Standards prior to acting.

Require a Special Report and/or Site Visit to Verify Sustained Compliance. The Commission may require that a report be submitted by an institution and/or a site visit be conducted at an institution to verify sustained compliance with the Commission's Standards. Special reports, with or without a visit, may be required as a result of the Commission's review of annual reports, annual fiscal reports, substantive change applications, or other information brought to the Commission's attention, which indicate significant noncompliance with the Commission's Standards.⁶

Accept or Not Accept Report. Institutions are required to submit various reports to the Commission, such as, but not limited to, midterm reports, annual reports, special reports, or teach-out plans and agreements. The Commission accepts reports which have met the specific requirements. In instances where the institution did not meet the specific requirements, the Commission will not accept the report, and will provide reasons to the institution, including guidance for follow up steps in accordance with Commission policies and procedures.

Accept Institutional Request for Voluntary Withdrawal. An institution may voluntarily withdraw its request for initial candidacy at any time (even after evaluation) prior to action by the Commission on the institution's accredited status. Upon receipt of written notice of voluntary withdrawal by the institution through its chief executive officer and governing board, the Commission will act to accept the withdrawal.

Candidate institutions and accredited institutions may voluntarily withdraw from accreditation at any time by submitting notification to the Commission of the intention to withdraw and the expected time for the withdrawal effective date. If the voluntary withdrawal will result in the likely closure of the institution or certain programs, then the institution must submit a closure plan in accordance with the *Policy on Closing an Institution*. The Commission will act at its next meeting to accept the institution's voluntary withdrawal upon fulfillment of the closure plan.

If the voluntary withdrawal is based on the anticipation of accreditation by another recognized accrediting agency, the Commission will act to accept the institution's voluntary withdrawal upon receipt of notification by the U.S. Department of Education that another recognized accrediting agency has been authorized for the institution. While that notification is pending, the institution will remain accredited by the ACCJC, with all the attendant responsibilities of a member institution.

Accept Institutional Re-application for Accredited Status. In the event of the withdrawal of accreditation of an institution, the institution must complete again the entire accreditation process, starting with the Eligibility Review and then Candidacy, to regain accreditation.

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⁶ *Policy on Monitoring Institutional Performance; Policy on Substantive Change; Policy on Student and Public Complaints Against Institutions; Policy on Rights, Responsibilities, and Good Practice in Relations with Member Institutions*

Definitions Related to Commission Actions and Action Letters

Accreditation Cycle. The accreditation cycle is a seven-year period beginning at the conclusion of a comprehensive review and continuing through the next comprehensive review.⁷ During the accreditation cycle, all institutions complete annual reports and a midterm report. Institutions may be required to complete other reports with or without visits as determined by the Commission based upon the institution's status of compliance with standards.

Appealable Adverse Action⁸. An appealable adverse action of the Commission is defined as (1) deny or withdraw the candidacy status of an institution, (2) deny initial accreditation of an institution, unless the institution remains in Candidate status, or (3) withdraw accreditation of an institution.

Commendations. The institution exceeds standards demonstrated by exemplary practices, policies, processes, and/or outcomes.

Compliance. The institution meets all of the Commission's Standards.

Deficiency. An institutional policy, procedure or practice, or absence thereof, which results in an institution not meeting one or more standards. These conditions are generally noted within the factual findings of a peer review team report, and may also be noted in the Institutional Self Evaluation Report, or by the Commission in its review of other monitoring reports.

Enforcement Action. Federal regulations require accreditors to take adverse action (action to deny or withdraw accredited status) to enforce compliance with accreditation standards per the Commission's written policies.⁹ The Commission must provide the institution with written notice and a deadline for resolving the deficiencies and coming into compliance that must not exceed three years from when the institution was first notified in writing of the noncompliance. The Commission may extend the time period for noncompliance by granting a Good Cause Extension in accordance with this policy. The Commission shall take adverse action if the institution has not come into compliance within the specified written timeline.

Requirement to meet standards. A narrative statement of actions required to be taken by an institution in order to resolve its deficiencies and to meet the cited standard(s). The citation of the Commission's Standards included in a requirement to meet standards notes the areas of noncompliance by the institution.

Recommendation to improve. A narrative statement of actions recommended to be taken by an institution that is currently meeting the cited Eligibility Requirement, Accreditation Standard or Commission policy, but without further action may fall into noncompliance.

Team notations of effective practice. Peer review team observations of an institution exceeding the standard, or of effective practice, may be noted in the peer review team report narrative and conclusions. The peer review team may also note suggestions for enhancement or institutionalization of effective practices.

⁷ The seven-year cycle will take effect and begin for an institution when it has concluded its initial comprehensive review under the Accreditation Standards adopted in June, 2014.

⁸ ACCJC *Policy on Institutional Appeals*

⁹ 34 CFR § 602.20 and § 602.18

Adopted January 1977; Revised January 1979, January 1991, June 1998; Edited July 2002; Revised June 2003; Edited August 2004, January 2006, August 2006, November 2008, January 2009; Revised January 2010, January 2011; Edited August 2012; Revised June 2013, June 2014, June 2015; Edited July 2015, January 2017; Revised June 2017, January 2020, June 2021; Revised June 2022.

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Policy on Competency Based Education

June 2020

Background

A. Council of Regional Accrediting Commissions (C-RAC) Definition of Competency Based Education

The Council of Regional Accrediting Commissions (C-RAC), of which ACCJC is a member of, adopted a Statement on Competency-Based Education (CBE), defining it “as an outcomes-based approach to earning a college degree or other credential.

Competencies are statements of what students can do as a result of their learning at an institution of higher education. The curriculum is structured around the specified competencies, and satisfactory academic progress is expressed as the attainment or mastery of the identified competencies. Because competencies are often anchored to external expectations, such as those of employers, to pass a competency, students must generally perform at a level considered to be very good or excellent.”¹

B. Federally Recognized Approaches to Competency Based Education

While there is no federal definition for competency based education in general, federal guidelines recognize three approaches which institutions may pursue:

- 1) Credit-based approach using credit hour or clock hour;
- 2) Direct assessment approach based on student's demonstration of competencies, in lieu of credit hours or clock hours, as a measure of student learning;²
- 3) Hybrid approach which uses a combination of credit hours or clock hours and direct assessment of student learning competencies.

C. Title IV Funding Requirements

To be eligible for Title IV funding, competency based education programs must meet federal requirements.

- 1) Credit-hour or clock-hour competency based programs can be accommodated under current Title IV funding statutory and regulatory provisions.
- 2) Institutions seeking to offer a direct assessment or a hybrid approach to their programs, must obtain ACCJC approval through the substantive change process.
- 3) Institutions must apply to the United States Secretary of Education for the first program they offer as a direct assessment or hybrid approach in order to be eligible for Title IV funding. Subsequent programs from the same institution will not require the Secretary's approval for Title IV funding.

¹ [C-RAC Statement on Competency-Based Education \(June 2015\)](#)

² 34 C.F.R. § 668.10

Policy Requirements

A. Institution Responsibility

For the purposes of complying with applicable regulatory requirements, institutions seeking to offer a direct assessment approach must establish and document a methodology to reasonably equate the direct assessment program to credit or clock hours.

B. Commission Responsibility

In order for a direct assessment program to be eligible for Title IV funds, ACCJC is required to do the following:

- 1) Evaluate the institution's offering of direct assessment program(s) based on ACCJC's standards and include the program(s) in the institution's grant of accreditation or pre-accreditation, and
- 2) Review and approve the institution's methodology for each direct assessment program's equivalence in terms of credit hours or clock hours.

Applicant institutions seeking ACCJC accreditation and offering only CBE- based programs will follow the eligibility and candidacy process, in addition to having the relevant aspects of their application reviewed by the Commission using these principles.

Adopted June 2020

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Policy on Complaints Against the Accrediting Commission for Community and Junior Colleges

June 2022

The purpose of this policy is to provide a process whereby individuals who have been aggrieved as a direct result of acts or omissions by the Accrediting Commission for Community and Junior Colleges (ACCJC) related to its accreditation functions may file a complaint. Complaints against the ACCJC may be about the ACCJC's lack of compliance with its own published Eligibility Requirements, Accreditation Standards, and Commission policies (together Commission's Standards), with federal regulations, and with accreditation procedures.

In order to be considered a formal complaint against the ACCJC, a complaint must involve issues broader in scope than a concern about a specific institutional action or a specific evaluation team. The ACCJC does not review complaints seeking to substitute Commission or team judgments related to institutional reviews or raise matters about which a member institution has due process procedures as a part of accreditation reviews.¹ An accreditation action not in accord with a complainant's expectation is not in and of itself cause for review of a complaint against the ACCJC.² The ACCJC does not review complaints presented primarily to indicate disagreement with accreditation standards, or to indicate comment concerning the accredited status of a member institution.

Complaints against the Commission may be submitted on the agency's website and must state clearly the nature of the complaint and the manner in which the complainant was directly aggrieved by the acts or omissions. The complainant must be clearly identified and the complaint must contain a signature. The complaint must identify the Commission's Standards, or procedure in question and include substantial evidence to support the allegations being made. Should a complaint require Commission consideration and action, the complainant will be notified of the timing of the Commission's review.

Except in extraordinary circumstances, the ACCJC does not consider complaints if the concern alleged occurred more than three years prior to filing the complaint. The ACCJC may elect to consider complaints together if they concern the same circumstances, complainants, or period of time. The ACCJC does not accept amendments to a complaint.

The President, or their designee, on behalf of the ACCJC, responds to each complaint made against the ACCJC within 30 days of receipt of the complaint (if more time than this is required to complete an investigation, the complainant is notified within the initial 30 days); implements corrective action where appropriate or makes recommendations to the Commission to implement the corrections; reports the nature and disposition of any complaints to the Chair of the Commission; and compiles annually a list, available to the public on request, which summarizes the nature and disposition of any such complaints. Upon advice of counsel, the

¹ Policy on Rights, Responsibilities, and Good Practice in Relations with Member Institutions

² Please refer to the forms for Third Party Comment, Complaints Against Member Institutions, and for submitting comment on policies and standards (*Policy on Review of Accreditation Standards*) for these kinds of communication.

ACCJC retains the right to withhold public disclosure of information if potential legal action is involved in the complaint.

If a complaint filed against the ACCJC under the provisions of this section is not resolved by the President, or if the President is a direct subject of the complaint, the Commission Chair shall designate one or more persons to review the handling of the complaint. The Commission shall review the report of the designated reviewer(s) and shall notify the complainant and the President of its response.

The ACCJC's disposition of complaints under this policy is final. Complainants do not have a right to appeal the disposition of a complaint.

*Adopted January 1999; Edited August 2007, August 2012; Revised June 2014, June 2017;
Edited June 2022*

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Policy on Contractual Relationships with Non-Accredited Organizations

June 2018

Background

An institution accredited by the Commission is responsible for ensuring the quality and integrity of all activities conducted in its name, including educational programming contracted to related entities. This policy is intended to ensure that the Commission receives appropriate assurances and sufficient information and documentation to assure whether such institutions comply with the Eligibility Requirements, Accreditation Standards, and Commission policies (together Commission's Standards).

Policy

When an institution contracts certain educational programming that results in the awarding of credit under the auspices of the member institution to a related entity, the institution is responsible to the Commission for presenting, explaining, and evaluating all significant matters and relationships involving related entities that may affect accreditation requirements and decisions at the time of eligibility review, candidacy review, initial accreditation, comprehensive review, follow-up and special reports, and all other times deemed relevant by the Commission. Although a related entity may affect an institution's ongoing compliance with the Accreditation Standards, the Commission will review and hold responsible only the applicant, candidate, or accredited institution for compliance with the Accreditation Standards. The Commission will protect the confidential nature of all information submitted by the institutions or by related entities except as otherwise required by law or other Commission policies.

The accredited institution's obligation to report any changes in control, legal status or ownership through its substantive change process also applies to related entities.

Guidelines for Good Practice in Contracting with Non-Accredited Organizations

The Contract should:

1. be executed only by duly designated officers of the institution and their counterparts in the related entity. While other faculty and administrative representatives will undoubtedly be involved in the contract negotiations, care should be taken to avoid implied or apparent power to execute the contract by unauthorized personnel.
2. establish a definite understanding between the institution and the related entity regarding the work to be performed, the period of the agreement, and the conditions under which any possible renewal or renegotiation of the contract would take place.
3. clearly vest the ultimate responsibility for the quality and academic integrity of the performance of the necessary control functions for the educational offering with the accredited institution granting credit for the offering. Such performance responsibility by the credit-granting institution would minimally consist of adequate provision for review

and approval of work performed in each functional area by the related entity, and provisions for ending the contract if the work performed does not meet the institution's requirements, which should include adherence to all the Commission's Standards, federal laws and regulations.

4. at a minimum, clearly establish the responsibilities of the institution and the related entity regarding:
 - a. Indirect Costs
 - b. Approval of Salaries
 - c. Equipment
 - d. Subcontracts and Travel
 - e. Property ownership and Accountability
 - f. Inventions and Patents
 - g. Publications and Copyrights
 - h. Accounting Records and Audits
 - i. Security
 - j. Termination Costs
 - k. Tuition Refund
 - l. Student Records
 - m. Faculty Facilities
 - n. Safety Regulations
 - o. Insurance Coverage
5. be formally reviewed by the Commission's Committee on Substantive Change prior to execution if in the contractual relationship, more than 25% of one or more of the accredited institution's educational programs is to be offered by the non-accredited organization (34 C.F.R. § 602.22(2)(vii).).

Non-accredited organizations are those which are not accredited by an agency recognized by the Secretary of the U.S. Department of Education (34 C.F.R. § 602.1 - 602.3).

Adopted March 1973; Revised June 2003, January 2012; Edited August 2012; Revised June 2018; Edited May 2019

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Policy on Credit for Prior Learning

June 2020

Background ¹

The growing complexity of policies and practices for transfer and award of credit has been brought about, in part, by the changing nature of postsecondary education. With increasing frequency, students are pursuing their education in a variety of institutional and extra-institutional settings. Policies on transfer and award of credit should encompass educational accomplishment attained in extra-institutional settings.

Most programs which provide students with the means to acquire knowledge and skills at an individual pace and then to demonstrate achievement of specific competencies to apply toward a course, certificate or degree, do so by clock hour or credit awards. However, an increasing number of programs provide for award of certificate or degree by direct assessment of student learning. ²

Transfer and award of credit is a concept that increasingly involves transfer between dissimilar institutions and curricula and recognition of extra-institutional learning, as well as transfer between institutions and curricula with similar characteristics. As their personal circumstances and educational objectives change, students seek to have their learning, wherever and however attained, recognized by institutions where they enroll for further study. It is important for institutions to develop reasonable and definitive policies and procedures for acceptance of such learning experiences, as well as for the transfer of credits earned at another institution. Such policies and procedures should provide consideration for the individual student who has changed institutions or objectives. It is the receiving institution's responsibility to provide reasonable and definitive policies and procedures for determining a student's knowledge in required subject areas. Institutions also have a responsibility to advise the student that the work reflected on the transcript may or may not be accepted by a receiving institution as bearing the same (or any) credits as those awarded by the provider.

The basic principle is that each institution is responsible for determining its own policies and practices with regard to the transfer, acceptance, and award of credit. Institutions are

¹ The background information comes from the Joint Statement on the Transfer and Award of Credit, initially created in 1978, and revised in 2001. The three signatories are national associations whose member institutions are directly involved in the transfer and award of academic credit: the American Association of Collegiate Registrars and Admissions Officers, the American Council on Education, and the Council for Higher Education Accreditation. Information from the March 19, 2013 Dear Colleague letter of the U.S. Department of Education on applying for Title IV eligibility for direct assessment (competency-based) programs is also included.

² The U.S. Department of Education has clarified that programs of this nature may be approved for award of Federal Student Assistance (FSA), using an equivalency calculation of clock hours or credits to determine the basis for payment and award of FSA. However, FSA may be awarded only for learning overseen by the institution. Pre-collegiate coursework and preparatory coursework required for entry into a certificate or degree program do not qualify for FSA if they involve direct assessment of learning.

encouraged to review their policies and practices periodically to assure that they accomplish the institutions' objectives and that they function in a manner that is fair and equitable to all students. The institution's articulation and transfer procedures should evaluate courses, programs and other learning experiences on their learning outcomes, and the existence of valid measures for assessing learning.

Policy

The Commission is committed to excellence and integrity in credits, certificates and degrees awarded by member institutions. Institutional policies and procedures must outline the process and standards by which direct assessment of prior learning is conducted and credits, certificates, and degrees are awarded.

Policy Elements

Assessing Prior Learning

In making the determination whether to award college credits, certificates, and degrees to students for prior learning: ³

1. Credit or its equivalent should be awarded only for learning, and not for experience.
2. Assessment should be based on standards and criteria for the level of acceptable learning that are published.
3. Assessment should be treated as an integral part of learning, not separate from it, and should be based on an understanding of learning processes.
4. The determination of credit awards and competence levels must be made by appropriate subject matter and academic or credentialing experts.
5. Credit or other credentialing should be appropriate to the context in which it is awarded and accepted.
6. If awards are for credit, transcript entries should clearly describe what learning is being recognized and should be monitored to avoid giving credit twice for the same learning.
7. Policies, procedures, and criteria applied to assessment, including provision for appeal, should be fully disclosed and prominently available to all parties involved in the assessment process.
8. All personnel involved in the assessment of learning should pursue and receive adequate training and continuing professional development for the functions they perform.
9. Assessment programs should be regularly monitored, reviewed, evaluated, and revised as needed for currency.

³ Standards for Assessing Learning; Council for Adult and Experiential Learning (CAEL), Chicago, Illinois; adapted from *Assessing Learning: Standards, Principles, and Procedures* (Second Edition); M. Fiddler, C. Marienau, and U. Whitaker; Chicago: Kendall Hunt Publishing Company; 2006.

Selection of Evaluators for Prior Learning ⁴

Faculty members who conduct the evaluation of prior learning experience exercise professional judgment and competency in applying the evaluative criteria and procedures. Faculty who are involved in evaluating prior learning should have the data necessary to determine the skills, competencies, and knowledge held by the candidate for direct assessment of learning, including position descriptions, outlines of training programs completed, and records of examinations taken, if any; and the means to compare the demonstrated learning with the learning outcomes acquired by students who have completed the related course or curriculum.

Adopted June 1980; Revised June 1990, June 2008, January 2009, January 2014, June 2020

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⁴ Refer to the guides for the evaluation of educational experiences, Center for Adult Learning and Educational Credentials, American Council on Education (ACE), Washington, DC.

Policy on Credit Hour, Clock Hour, and Academic Year

January 2022

Background

The Commission's Eligibility Requirements, Accreditation Standards, and Policies (hereafter referred to as the Commission's Standards) require institutions to meet generally accepted practices when awarding credit. These practices require evidence of:

1. academic study of sufficient content, breadth, and length;
2. levels of rigor appropriate to the programs and/or degrees, including baccalaureate degrees offered;
3. statements of expected student learning outcomes relevant to the disciplines; and
4. assessment results which provide sufficient evidence that students are achieving key institutional and program learning outcomes.

This policy incorporates federal requirements regarding credit hour and defines credit hour applicable to a degree or certificate awarded by an accredited institution, as well as adopts the federal definitions of terms related to institutional degrees and credits.

Policy

An accredited institution conforms to a commonly accepted minimum program length of 60 semester credit hours or 90 quarter credit hours awarded for achievement of student learning for an associate degree and 120 semester credit hours or 180 quarter credit hours for a bachelor's degree. Any exception to this minimum must be explained and justified.

An accredited institution must have in place written policies and procedures for determining a credit hour that generally meet commonly accepted academic expectations and it must apply the policies and procedures consistently to its courses and programs.

Federal Definitions¹

Credit hour:

Except as provided in 34 CFR § 668.8(k) and (l), a credit hour is an amount of student work defined by an institution, as approved by the institution's accrediting agency or State approval agency, that is consistent with commonly accepted practice in postsecondary education and that—

- 1) Reasonably approximates not less than—
 - (i) One hour of classroom or direct faculty instruction and a minimum of two hours of out-of-class student work each week for approximately fifteen weeks for one

¹ 34 C.F.R. § 600.2

- semester or trimester hour of credit, or ten to twelve weeks for one quarter hour of credit, or the equivalent amount of work over a different amount of time; or
 - (ii) At least an equivalent amount of work as required in paragraph (1)(i) of this definition for other academic activities as established by the institution, including laboratory work, internships, practica, studio work, or other academic work leading to the award of credit hours.
- 2) Permits an institution, in determining the amount of work associated with a credit hour, to take into account a variety of delivery methods, measurements of student work, academic calendars, disciplines, and degree levels.

Clock hour:

- 1) A clock hour is a period of time consisting of—
 - (i) A 50- to 60-minute class, lecture, or recitation in a 60-minute period;
 - (ii) A 50- to 60-minute faculty-supervised laboratory, shop training, or internship in a 60-minute period;
 - (iii) Sixty minutes of preparation in a correspondence course; or
 - (iv) In distance education, 50 to 60 minutes in a 60-minute period of attendance in—
 - a. A synchronous or asynchronous class, lecture, or recitation where there is opportunity for direct interaction between the instructor and students; or
 - b. An asynchronous learning activity involving academic engagement in which the student interacts with technology that can monitor and document the amount of time that the student participates in the activity.
- 2) A clock hour in a distance education program does not meet the requirements of this definition if it does not meet all accrediting agency and State requirements or if it exceeds an agency's or State's restrictions on the number of clock hours in a program that may be offered through distance education.
- 3) An institution must be capable of monitoring a student's attendance in 50 out of 60 minutes for each clock hour under this definition.

Clock-to-Credit-Hour Conversion Formula

Federal Formula²:

For purposes of determining whether a program meets requirements set forth in Title IV, HEA programs—

- 1) a semester hour must include at least 30 clock hours of instruction;
- 2) a trimester hour must include at least 30 clock hours of instruction; and
- 3) a quarter hour must include at least 20 clock hours of instruction.

Academic Year:³ for the purposes of Federal student assistance programs, an academic year has a minimum of 30 weeks of instructional time for a course of study that measures its program

² 34 C.F.R. § 668.8 (l)(1)(2)

³ 34 C.F.R. § 668.3

length in credit hours or a minimum of 26 weeks of instructional time for a course of study that measures its program length in clock hours. A full time student is expected to complete at least 24 semester credit hours or 36 quarter credit hours in an academic year.

An academic year in a direct assessment program is a period of instructional time that consists of a minimum of 30 weeks of instructional time during which a full time student is expected to complete the equivalent of at least 24 semester credit hours, 36 quarter hours or 900 clock hours.

A week of instructional time is any week in which—

- (i) At least one day of regularly scheduled instruction or examinations occurs, or, after the last scheduled day of classes for a term or payment period, at least one day of study for final examinations occurs; or
- (ii) (A) In a program offered using asynchronous coursework through distance education or correspondence courses, the institution makes available the instructional materials, other resources, and instructor support necessary for academic engagement and completion of course objectives; and
(B) In a program using asynchronous coursework through distance education, the institution expects enrolled students to perform educational activities demonstrating academic engagement during the week; and

Instructional time does not include any scheduled breaks and activities not included in the definition of “academic engagement” in 34 CFR § 600.2, or periods of orientation or counseling.

See Policy on Competency Based Education for guidance on outcomes based approaches to earning a degree or credential, including direct assessment programs.

Adopted January 2012; Edited August 2012; Revised October 2013, June 2014, Edited November 2013; Revised June 2020; Revised January 2022

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Policy on Distance Education and on Correspondence Education

June 2021

The Commission holds the same high expectations for quality, integrity, and effectiveness for distance education and correspondence education as in traditional modes of instruction. The Accreditation Standards require that all learning opportunities provided by accredited institutions must have equivalent quality, accountability, and focus on student outcomes, regardless of mode of delivery. This policy provides a framework that allows institutions the flexibility to adapt their delivery modes to the emerging needs of students and society while maintaining quality and promoting equitable outcomes. Any institution offering courses and programs through distance education or correspondence education is expected to meet the requirements of accreditation in each of its courses and programs and at each of its sites. This policy reflects the federal regulatory requirements regarding distance education and correspondence education in accordance with the following definitions.

Definition of Distance Education (34 C.F.R. § 600.2.)

Distance Education means:

- (1) Education that uses one or more of the technologies listed in paragraphs 2(a) through (d) to deliver instruction to students who are separated from the instructor(s) and to support regular and substantive interaction between the students and the instructor(s)¹, either synchronously or asynchronously.
- (2) The technologies may include:
 - a) the internet;
 - b) one-way and two-way transmissions through open broadcast, closed circuit, cable, microwave, broadband lines, fiber optics, satellite, or wireless communications devices;
 - c) audioconferencing; or
 - d) other media used in a course in conjunction with any of the technologies listed in paragraphs (a) through (c).
- (3) For purposes of this definition, an instructor is an individual responsible for delivering course content and who meets the qualifications for instruction established by an institution's accrediting agency.

¹ Per Accreditation Standard III.A.2, instructors are faculty whose qualifications include knowledge of the subject matter and requisite skills for the service to be performed. Factors of qualification include appropriate degrees, professional experience, discipline expertise, level of assignment, teaching skills, scholarly activities, and potential to contribute to the mission of the institution.

- (4) For purposes of this definition, substantive interaction is engaging students in teaching, learning, and assessment, consistent with the content under discussion, and also includes at least two of the following—
 - a) Providing direct instruction;
 - b) Assessing or providing feedback on a student's coursework;
 - c) Providing information or responding to questions about the content of a course or competency;
 - d) Facilitating a group discussion regarding the content of a course or competency; or
 - e) Other instructional activities approved by the institution's or program's accrediting agency.
- (5) An institution ensures regular interaction between a student and an instructor or instructors by, prior to the student's completion of a course or competency—
 - a) Providing the opportunity for substantive interactions with the student on a predictable and regular basis commensurate with the length of time and the amount of content in the course or competency; and
 - b) Monitoring the student's academic engagement and success and ensuring that an instructor is responsible for promptly and proactively engaging in substantive interaction with the student when needed on the basis of such monitoring, or upon request by the student.

Definition of Correspondence Education (34 C.F.R. § 602.3.)

Correspondence education means:

- (1) education provided through one or more courses by an institution under which the institution provides instructional materials, by mail or electronic transmission, including examinations on the materials, to students who are separated from the instructor.
- (2) interaction between the instructor(s) and the student is limited, is not regular and substantive, and is primarily initiated by the student.
- (3) If a course is part correspondence and part residential training, the Secretary considers the course to be a correspondence course.
- (4) correspondence education is not distance education.

Policy Elements

- Development, implementation, and evaluation of all courses and programs, including those offered via distance education or correspondence education, must take place within the institution's total educational mission (Standard II.A.1).
- Institutions are expected to control development, implementation, and evaluation of all courses and programs offered in their names, including those offered via distance education or correspondence education (Standard II.A.2).

- Institutions are expected to have clearly defined and appropriate student learning outcomes for all courses and programs, including those delivered through distance education or correspondence education (Standard II.A.3).
- Institutions are expected to provide the resources and structure needed to accomplish these outcomes and to demonstrate that their students achieve these outcomes through application of appropriate assessment (Standards I.B.2, I.B.5, II.A.7, II.A.16, III.C.3, III.C.4).
- Institutions are expected to provide the Commission advance notice of intent to offer a program, degree or certificate in which 50% or more of the courses are via distance education or correspondence education, through the substantive change process. For purposes of this requirement, the institution is responsible for calculating the percentage of courses that may be offered through distance or correspondence education (*Policy on Substantive Change*).
- Institutions must have processes in place establishing that a student who registers in any course offered via distance education or correspondence is the same student who academically engages in the course or program.²
- The institution must also publish policies that ensure the protection of student privacy and will notify students at the time of class registration of any charges associated with verification of student identity.³

Adopted June 2001; Edited August 2004; Revised June 2005, January 2010, June 2011; Edited August 2012; Revised June 2021

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² 34 C.F.R. § 602.17(g)

³ 34 C.F.R. § 602.17(h)

Policy on Evaluation of Institutions in Multi-College/Multi-Unit Districts or Systems

June 2022

Policy

The Commission assures the equitable evaluation of all institutions regardless of organizational structure and clarifies the Commission's expectations regarding the conduct and outcomes of comprehensive institutional evaluations and other reviews in multi-college districts/systems. In order for the Commission to evaluate institutions in single-college and multi-college organizations fairly, institutions must inform the Commission about their functional organization and involve district/system and college personnel responsible for the functions in accreditation activities. The expectations for the review of Multi-College Districts or Systems are delineated in Accreditation Standard IV.D.

The integrity of the district/system programs and services falls within the scope of the institution's accreditation. The district/system auxiliary programs and services are subject to review if the program or service is executed in the name of the district/system or institution, or if the district/system administers or the governing board authorizes the program or service. The delineation and distribution of responsibilities among the district/system and the institution must be articulated clearly.

While the Commission accredits individual institutions, the district/system holds a fundamental role and responsibility in the analysis and evaluation of district/system structures and how these structures assist the institutions to achieve and adhere to all the Eligibility Requirements, Accreditation Standards, and Commission policies (together Commission's Standards) and gain and sustain accredited status.

Institutions have the responsibility to describe and delineate clearly the particular way functions are distributed in their unique multi-college organization. The distribution of these functions will be evaluated. There must be evidence of ongoing communication between the institution and the district/system regarding the distribution of these functions. The Commission will use this evidence to identify the locus of responsibility for the institution's ability to meet the Commission's Standards.

When serious inadequacies in a district/system function are verified, such deficiencies may jeopardize the accreditation of one, some, or all of the district/system institutions. Both the district/system and the impacted institution(s) are responsible for correcting the identified deficiencies.

The Commission reserves the right to initiate direct interaction with district/system chief executive officers regarding the ability of institutions to demonstrate that they meet or exceed the Accreditation Standards. When district/system officers are contacted regarding an institution, the institution(s) chief executive officer will receive the same communication.

Following the completion of the review of accredited status for an institution within the district/system, the Commission will send a copy of its action letter to the district or system chief executive officer.

A district/system may make a special request to evaluate the effectiveness of its central functions in conjunction with scheduled comprehensive reviews. This activity is limited to issues related to the ability of institutions to demonstrate that they meet or exceed the Accreditation Standards. The outcome of this activity does not result in any accredited status for the district/system.

*Adopted June 1999; Revised January 2004, January 2009, June 2011; Edited August 2012;
Revised June 2013, June 2014, June 2015; Edited June 2022*

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Policy on Governing Boards for Military Institutions

January 2022

Background

The Accreditation Standards and Eligibility Requirements require that colleges have a functioning governing board responsible for the quality, integrity, and financial stability of the institution and insure that the mission is carried-out.

Policy

A military institution, with a chain of command structure, authorized and operated by the federal government and which awards degrees has a public board or steering committee. Neither the presiding officer nor a majority of the other members are civilian employees of the military/Department of Defense or active/retired military. Members should represent diverse backgrounds and experiences in which neither the presiding officer nor a majority of the other members are civilian employees of the military/Department of Defense or active/retired military. The board has broad and significant responsibilities to recommend policy, identify the educational, personnel, and financial requirements of the institution, and validates the assignment of the chief executive officer designated as the commander or commandant of the institution.

The presiding officer and a majority of the members have no contractual, employment, or personal or familial financial interest in the institution.

Adopted June 2009; Reviewed January 2022

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Policy on Institutional Advertising and Student Recruitment

January 2022

Background

The Eligibility Requirements, Accreditation Standards, and this Commission policy require that an accredited institution make available to students and prospective students clear and accurate information about itself in all publications that may be disseminated in the name of the institution.

According to federal regulations, the U.S. Department of Education may limit or revoke the institution's eligibility to participate in Title IV, if an institution or any individual representing an institution makes false, erroneous or misleading statements.¹

Policy

All accredited institutions, or individuals acting on their behalf, must exhibit integrity and responsibility in advertising and student recruitment. Responsible self-regulation requires rigorous attention to principles of good practice.

Policy Elements

A. Advertising, Publications, Promotional Literature

Educational programs and services offered shall be the primary emphasis of all advertisements, publications, promotional literature and recruitment activities, including those presented in electronic formats. All statements and representations, including, but not limited to, conditions for transfer of course credits, conditions for acceptance of course credits, requirements for course completion and licensure examinations, shall be clear, factually accurate, and current.

Consistent with Accreditation Standards, catalogs and other official publications shall be readily available and accurately depict current information concerning the following:

General Information

- Official Name, Address(es), Telephone Number(s), and Website Address of the Institution
- Educational Mission
- Representation of accredited status with ACCJC and with programmatic accreditors, if any
- Course, Program, and Degree Offerings

¹ 34 CFR §668.71

- Student Learning Outcomes for Programs and Degrees
- Academic Calendar and Program Length
- Academic Freedom Statement
- Available Student Financial Aid
- Available Learning Resources
- Names and Degrees of Administrators and Faculty
- Names of Governing Board Members

Requirements

- Admissions
- Student Fees and Other Financial Obligations
- Degree, Certificates, Graduation and Transfer

Major Policies Affecting Students

- Academic Regulations, including Academic Honesty
- Nondiscrimination
- Acceptance and Transfer of Credits
- Transcripts
- Grievance and Complaint Procedures
- Sexual Harassment
- Refund of Fees

Locations or Publications where Other Policies may be Found

In institutional catalogs and/or official publications describing career opportunities, clear and accurate information shall be provided on: national and/or state legal requirements for eligibility for licensure or entry into an occupation or profession for which education and training are offered; and any unique requirements for career path or for employment and advancement opportunities in the profession or occupation described.

B. Student Recruitment for Admissions

Student recruitment shall be guided by well-qualified admissions officers and trained volunteers whose credentials, purposes, and position or affiliation with the institution are clearly specified. Independent contractors or agents used by the institution for recruiting purposes shall be governed by the same principles as institutional admissions officers and volunteers.

The following practices in student recruitment shall be scrupulously avoided:

- assuring employment unless employment arrangements have been made and can be verified;
- misrepresenting job placement and employment opportunities for graduates; misrepresenting program costs; misrepresenting abilities required to complete intended program;
- offering to agencies or individual persons money or inducements other than educational services of the institution in exchange for student enrollment.

Awards of privately endowed restricted funds, grants or scholarships are to be offered only on the basis of specific criteria related to merit or financial need.

Adopted January 2005; Revised January 2012; Revised January 2022

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Policy on Institutional Appeals

June 2022

Policy

Member institutions receiving notice of an appealable adverse action (as defined below) from the Accrediting Commission for Community and Junior Colleges (“the Commission”), are entitled to an appellate review of the Commission’s decision by an independent Hearing Panel in accordance with this Institutional Appeals Policy (“Policy”). During the course of an appeal, the institution (“Appellant”) retains its accreditation status prior to the appealable adverse action.

A member institution, through its Chief Executive Officer (“CEO”), may appeal the adverse action by filing a written request to appeal, following the appeals procedures as outlined in this policy. An appealable adverse action of the Commission is defined as:

1. deny or withdraw the candidacy status of an institution;
2. deny initial accreditation of an institution, unless the institution remains in Candidate status; or
3. withdraw accreditation of an institution.

Grounds for Appeal

Grounds for an appeal shall be based on one or more of the following:

- (a) the Commission’s adverse action was arbitrary, capricious, or not supported by substantial evidence;
- (b) the procedures used to reach the adverse action were contrary to the Commission’s established policies and practices, which potentially prejudiced the Commission’s consideration; or
- (c) there was demonstrable bias or prejudice on the part of one or more members of the peer review team, Commission staff, or the Commission which materially affected the Commission’s adverse action.

Appeals are limited to only evidence that was provided to the Commission at the time it made its decision. The only exception to this rule is when the Appellant’s accreditation is being withdrawn **solely** for financial reasons (see Designation of the Record, below). The burden shall be on the Appellant to demonstrate, through evidence, that one or more of the grounds for appeal have been met.

Nature of the Appeal

The purpose of the appeal is to provide an independent review to make certain the Commission’s adverse action was not arbitrary or capricious and the accreditation process was conducted in accordance with the established policies and procedures of the Commission. The Hearing Panel is not to substitute its judgement on the merits of the Commission’s decision on the underlying adverse accreditation action. The Hearing Panel’s decision shall be based solely

on the Record and the condition of the Appellant existing at the time of the Commission's adverse action.

Appeals are not public proceedings and the filings made during the course of an appeal and the proceedings, including any pre-hearing conference and the hearing, are to remain confidential, closed to the public, and shall not be released to the general public, the press, or posted to any website. Failure to respect confidentiality by the Appellant shall be grounds for the dismissal of the appeal by the Hearing Panel Chair.

Appeals Process

The appeals process is administrative and not a judicial proceeding. The parties are not permitted to conduct discovery, present witnesses, cross-examine presenters of the other party, or exercise other evidentiary rights and privileges ordinarily provided to litigants. However, the Hearing Panel may ask questions of the Commission and Appellant representatives present at the hearing. The Appellant bears the burden of proof throughout the appeals process. The Commission recognizes the right of the institution to employ counsel to represent the institution during its appeal, including to make any presentation that the Commission permits the institution to make on its own during the appeal.

Notification of Intent to Appeal Adverse Action

If an institution seeks to appeal an appealable adverse action by the Commission, its Chief Executive Officer must provide the ACCJC President with a written Notice of Intent to Appeal letter within fifteen (15) business days of the date of the institution's receipt of the ACCJC's official action letter. The Notification of Intent to Appeal must contain a short and concise statement alleging the failures of the procedural elements of the appealable adverse action serving as grounds for the appeal in accordance with the requirements of this policy and sufficient to determine that the allegations are more than mere speculation. Simple recitation of the grounds for appeal will not constitute adequate basis for appeal.

The ACCJC President will acknowledge receipt of the Notification of Intent Letter to the Appellant within fifteen (15) business days of receipt. The acknowledgement of receipt will also notify the Appellant of the name of the designated Administrator of the Appeal and will provide the Appellant with the opportunity to challenge the designated Administrator according to the ACCJC's Conflict of Interest Policy. The Appellant must confirm or challenge the Administrator of the Appeal within five (5) business days of receiving the notification. Once the Administrator of the Appeal is confirmed, the Administrator will determine whether the grounds for appeal are met and will notify the Appellant of the decision within five (5) business days.

Costs

The fee for an appeal is outlined in the ACCJC fee schedule and must be submitted to the ACCJC with the Notice of Intent to Appeal. The Appellant will be required to pay a portion of the costs associated with the Appeal as a deposit check in the amount to be determined by the ACCJC President, once the Appeal has been granted. All unused costs will be refunded to the Appellant, or any cost overages will be invoiced to the Appellant, at the conclusion of the hearing.

Selection of the Administrator of the Appeal, Appeals Hearing Panel Pool, and the Hearing Panel

The Executive Committee of the Commission will designate an Administrator of the Appeal. Such designee shall not be a staff member of the Commission or a current Commissioner. The Administrator of the Appeal must abide by the Commission's Conflict of Interest Policy. The Administrator of the Appeal shall select the Hearing Panel members from among the Appeals Hearing Panel Pool.

The Appeals Hearing Panel Pool shall consist of at least fifteen (15) persons appointed by the Nominating Committee, 50% of whose members are not commissioners. The Appeals Hearing Panel Pool shall include academics and administrators from member institutions, and representatives of the public. At least one-seventh of the pool shall be representatives of the public. Academic members shall bring faculty experience and may be a current faculty member, academic administrator, librarian, or other academic reflecting the diversity of the region and/or institutional membership. Administrators bring administrative experience as a current chief executive officers in a two-year institution or district/system. A public representative is someone who is not an employee, member of a governing board, owner, shareholder, or consultant to an institution that has applied for or is in candidacy or is accredited by the ACCJC; a member of any trade association or membership organization related to, affiliated with, or associated with the agency; or a spouse, child, parent, or sibling of such individuals.

In identifying the Appeals Hearing Panel Pool, the Nominating Committee shall also consider diversity in institutional characteristics, such as mission, size, geography, and location, and diversity in personal characteristics, such as ethnicity and gender, and in specialized professional experience. Individuals in the pool have appropriate qualifications, relevant experience or expertise, and/or training to be a member of an Appeal Panel. Members of the Appeals Hearing Panel Pool shall serve for three-year terms.

The Hearing Panel shall consist of five members and shall be composed of academics and administrators from member institutions, and at least one public representative. Hearing Panelists may not include current members of the Commission that took the initial adverse action. A Hearing Panel member will be disqualified from serving on the Hearing Panel if she or he has a conflict of interest as defined by the Commission's Conflict of Interest Policy.

1. Upon decision to move the appeal forward, the Administrator of the Appeal shall identify the names of the five members to serve as the Hearing Panel. The Administrator of the Appeal shall provide the Appellant and the ACCJC President with the names and biographical data of each proposed member within fifteen (15) business days of the Administrator's appointment.
2. A selected Appeal Panel member who has a conflict of interest, as defined in Commission's Conflict of Interest policy, shall immediately notify the Administrator of the Appeal, who shall thereupon identify a replacement.
3. The Appellant may challenge the selection of any Hearing Panel member on the basis that the member has a conflict of interest by giving notice of the basis of such challenge to the Administrator of the Appeal within five (5) business days of receipt of the list of Hearing Panel members. The Administrator of the Appeal shall rule on such challenges, with the benefit of doubt to be afforded to the challenging party. In the event a Hearing Panel member must recuse, the Administrator of the Appeal shall identify a replacement, and such replacement shall be subject to the same challenge.
4. The Administrator of the Appeal shall select a chair from among the Hearing Panel members. Preference may be given to candidates with prior experience with appeal

processes. The Chair of the Hearing Panel shall control the hearing and any other procedural issues that arise during the course of the appeal. The Chair may limit the duration of the hearing and shall endeavor to divide the time equitably among the parties. The Chair shall rule on all questions pertaining to the conduct of the hearing, including the supplement of the Record, and may extend deadlines set forth in these procedures for good cause shown by a requesting party. All actions of the Hearing Panel shall be by majority vote of the full panel.

Designation of Record

The Administrator of the Appeal shall deliver an electronic copy of the Record for the adverse action to the Appellant and Hearing Panel as soon as the Hearing Panel has been confirmed. The Record will include the Institutional Self-Evaluation Report, the External Evaluation Team Report, minutes from the Commission's closed session where the adverse action was approved, and the Reader Report Forms completed by the lead Commissioners assigned to the institution at the time of the Commission meeting.

Neither the Commission nor the Appellant may include or refer to information or materials that are not part of the Record in their statements presented to the Hearing Panel, nor may they introduce new institutional information during the hearing. If the Appellant failed to present documentation or information available at the time the Commission took adverse action, it may not make that information available for consideration by the Hearing Panel.

The only exception to this rule is when the Appellant's accreditation is being withdrawn **solely** for financial reasons, in which case the Appellant or the Commission may present new and verifiable information relating to changes in the Appellant's financial status since the Commission's adverse action. Updated financial information may only be offered if (1) the information was not available to the Appellant at the time the Commission voted on the adverse action, and (2) the information is determined by the Hearing Panel or its Chair to be so substantial and material that had it been available it is likely to have had a bearing on the decision of the Commission to issue an adverse action.

If the Appellant intends to present new information regarding its financial status to the Hearing Panel, it must provide the information to the Administrator of the Appeal as promptly as possible, but at least fifteen (15) business days in advance of the hearing, along with any available verification of the new information from third party sources. The Hearing Panel Chair will rule as to whether to accept the new financial information. In advance of the Chair's ruling on the introduction of the new financial information, the Commission shall have the opportunity to provide a statement as to whether such information is new and whether it might have had a bearing on the decision of the Commission. If an objection to the Chair's ruling is made, the objection will be heard by the Hearing Panel, who will make a final and binding decision on the Appellant's right to present the new financial information. An institution may seek the review of new financial information only once and any determination by the Hearing Panel made with respect to that review does not provide a basis for an appeal.

No information concerning the remedying of deficiencies regarding ACCJC Standards since the time of the adverse action shall be presented at or before the Hearing for any reason.

Schedule of Hearing

The Administrator of the Appeal shall schedule the hearing at the earliest practicable date. At least forty-five (45) business days before the time set for the hearing, the Administrator of the

Appeal shall notify the Appellant of the time and place of the hearing.

Submission of Appellant

The Appellant shall submit electronically to the Administrator of the Appeal written statements in support of its Appeal, referencing the Record as appropriate, at least fifteen (15) days prior to the hearing. The submission shall include a request for oral argument if the Appellant wishes such an opportunity.

Decision of the Appeals Panel¹

1. The Hearing Panel shall have the authority to affirm, remand, or amend the adverse action.
 - a. The Hearing Panel shall affirm the Commission's adverse action unless the Appellant proves, by clear and convincing evidence, that the Commission's action was arbitrary and without substantial evidence in the Record or that there was an error in the proceedings of the Commission that materially affected its decision. A decision to affirm the Commission's decision is final and binding on the parties.
 - b. The Hearing Panel shall remand the matter to the Commission if the Appellant proves by clear and convincing evidence that the Commission failed to follow its written procedures or there was an error in its proceedings and that the failure or error was significant in leading to the Commission's adverse action. The Hearing Panel must identify in its decision the specific policies and procedures the Commission failed to follow and must address the error in the proceedings with specific instructions to review the action, taking into consideration any findings of the Hearing Panel. In the event of a remand, the Commission shall take action in accordance with the Hearing Panel's instructions at its next regularly scheduled meeting.
 - c. The Hearing Panel shall amend the adverse action if the Appellant established by clear and convincing evidence that the action of the Commission was not supported by substantial evidence in the Record or was arbitrary, capricious, or biased, was unreasonable and not based on or consistent with the policies of the Commission or the information in the Record.
2. The Hearing Panel Chair shall render its decision in writing within fifteen (15) business days of the conclusion of the Hearing to the Administrator of the Appeal, who will then notify the Appellant and the ACCJC of the decision. The Hearing Panel decision shall set forth whether its decision is to affirm, remand, or amend the Commission's adverse action and summarize its reasons in support thereof. The Chair of the Hearing Panel shall deliver its decision to the Appellant, the Commission, and the Administrator of the Appeal.
3. The decision of the Hearing Panel to affirm or amend an adverse action shall be deemed a final accreditation action of the Commission and shall not be subject to any further review or appeal. The Commission shall notify the appropriate public authorities of the decision in accordance with its policies and federal regulation.

¹ 34 CFR § 602.25 (f)(1)(iii)(iv)

Arbitration

In the event of a final accreditation action involving an adverse action, including the denial, withdrawal, or termination of accreditation, member Institutions must submit any dispute, challenge, or claim regarding such accreditation action to final and binding arbitration in San Francisco, California before a single arbitrator.² The arbitration shall be administered by an arbitration service selected by the Commission. Judgment on the arbitration award may be entered in any court having jurisdiction. Any question regarding the arbitrability of disputes will be decided by the arbitrator.

Adopted June 2019; Revised January 2021; Revised June 2022

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² 34 CFR § 602.20(e); 20 U.S.C. 1099b(e)

Policy on Institutional Compliance with Title IV

January 2022

Background

In order to comply with federal regulations regarding Institutional Compliance with Title IV of the Higher Education Act (HEA)¹, the Commission is required to provide information it has available germane to an accredited or candidate institution's program responsibilities or eligibility to participate under Title IV of the HEA.

Notification to the U.S. Secretary of Education of Fraud or Abuse

The Commission shall provide the U.S. Secretary of Education notice of the name of any institution it has reason to believe is engaged in fraud or abuse or is failing to meet its responsibilities under Title IV of the HEA, and the reasons for such concern. Except in cases when the matter warrants a confidential report to the U.S. Secretary of Education, the Commission shall notify the institution if its name is submitted to the U.S. Secretary of Education under this provision.²

Default Rates

Institutions participating in the Title IV programs under the HEA and designating the Commission as their gate-keeping agency must be able to demonstrate diligence in keeping loan default rates at an acceptably low level and must also comply with program responsibilities defined by the U.S. Department of Education. Institutions that have a default rate requiring a default reduction plan should provide a copy of their plan to the Commission. Commission staff shall review the plan to determine its appropriateness, and to determine if any follow-up action is needed. Excessive default rates in the student loan program may be cause for a special report or evaluation.

Compliance with Title IV³

During the course of the Commission's eligibility review, there will be a review of loan default rates and negative actions taken by the U.S. Department of Education regarding compliance of the institution with the requirements of Title IV of the HEA. In addition, the Commission will review information provided by the U.S. Secretary of Education when notified of negative action taken by the U.S. Department of Education regarding responsibilities under Title IV of the HEA.

¹ 34 C.F.R. § 602.16; § 602.27

² 34 C.F.R. § 602.27(b). Regulations require a case-by-case review of the circumstances surrounding an accrediting agency's contact with the U.S. Secretary of Education. If it is determined there is the need to hold the contact confidential, then the institution will not be notified of the report made. Also, if the U.S. Department of Education requests a report remain confidential, then there will be no notification to the institution.

³ § 602.16(a)(1)(v); § 602.16(a)(1)(x); § 602.19(b); § 668.5; § 668.15; § 668.16; § 668.71

The Commission will determine if the information calls into question compliance with its Accreditation Standards and wherever any follow-up action is needed. Excessive default rates in the student loan program may be cause for a special report or site visit.

Adopted June 2011; Edited June 2012, Edited January 2022

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Policy on Institutional Integrity and Ethics

June 2022

Background

In accordance with the Eligibility Requirements, Accreditation Standards, and Commission policies (together Commission's Standards), the Commission expects each member institution to exhibit integrity and to subscribe to and advocate high ethical standards. Recognition by the U.S. Department of Education requires the Commission to monitor an accredited institution's compliance with the institution's Title IV program responsibilities and it is the institution's responsibility to ensure that no false, erroneous, or misleading statements or misrepresentation are made about itself.¹

Policy

Accredited institutions, or individuals acting on their behalf, must demonstrate integrity and subscribe to and advocate high ethical standards in the management of its affairs and all of its activities dealing with students, faculty, staff, its governing board, external agencies and organizations, including the Commission, and the general public.

Policy Elements

1. An accredited institution will uphold and protect the integrity of its practices.
2. An institution applying for eligibility, candidacy or extension of candidacy, initial accreditation or reaffirmation of accreditation, or responding to Commission requests for information or reporting requirements, such as the annual reports, provides the Commission with information that is readily available, current, complete, and accurate, including reports of other accrediting agencies, licensing and auditing agencies. This includes any information on matters that may affect an institution's integrity.
3. The institution assures the clarity, accuracy and availability of information provided to all persons or organizations and related to its mission statement; its educational programs; its admissions requirements; its student services; its tuition and other fees and costs; its financial aid programs; its policies related to transcripts, transfer of credit and refunds of tuition and fees. The institution reports accurately to the public its accreditation status.
4. The institution has policies to ensure academic honesty, policies to assure integrity in the hiring processes, and policies and procedures to prevent conflict of interest throughout the organization, including governing board decision-making and contracting, and policies that provide due process protections. Such policies are reviewed regularly and are widely available to institutional staff, students, governing board members and the public. The institution is able to provide evidence that it upholds its policies.
5. The institution demonstrates integrity and honesty in interactions with students and prospective students in all academic, student support and administrative functions and

¹ 34 C.F.R. § 602.16(a)(1)(x); §668.71; Policy on Compliance with Title IV

services as well as statements and other information provided about its accredited status, its transfer of credit policies, and whether successful completion of its courses qualify students to receive, to apply, and/or to take licensure examinations or non-governmental certification.

6. The institution establishes and publicizes policies ensuring institutional integrity that contain clear statements of responsibility for assuring integrity and describe how violations of integrity are to be resolved.
7. The institution establishes a governance process and policies to receive and address complaints regarding questionable accounting practices, operational activity which is a violation of applicable law, rules, and regulations, or questionable activities which may indicate potential fraud, waste, and/or abuse. The process shall allow for the confidential and anonymous submission of complaints.
8. The institution, in its relationship with the Commission, cooperates in preparation for comprehensive reviews, receives evaluation teams or Commission representatives in a spirit of collegiality, and complies with the Commission's Standards. The institution maintains an openness and commitment to peer evaluation and assists peer evaluators in performing their duties.
9. The institution makes complete, accurate and honest disclosure of information required by the Commission, and complies with Commission requests, directives, decisions and policies. The institution acknowledges that if it fails to do so, the Commission may act to impose a sanction, or to deny or withdraw candidacy or accreditation.^{2,3}

Adopted June 2011; Revised June 2013; Edited June 2022

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² Eligibility Requirement 21.

³ Other Commission policies which address integrity and ethics include: *Policy on Institutional Advertising and Student Recruitment; Policy on Representation of Accredited Status; Policy on Principles of Good Practice in Overseas International Education Programs; Policy on Rights, Responsibilities, and Good Practice in Relations with Member Institutions; Policy on Public Disclosure and Confidentiality, and Policy on Institutional Compliance with Title IV.*

Policy on Monitoring Institutional Performance

January 2020

The Commission's responsibility is to determine whether an institution is in compliance with Eligibility Requirements, Accreditation Standards and Commission policies (together Commission's Standards) and to assist institutions, through established procedures, in the improvement of quality.

Commission Monitoring of Institutional Performance

In support of its purposes, the Commission applies a set of annual monitoring and evaluation approaches that assess an institution's continued compliance with the Commission's Standards, and that take into account institutional strengths and stability. ¹ Such annual monitoring will include, but not be limited to:

- Headcount enrollment data ²
- Collection and analysis of key data and indicators of student achievement
- Collection and analysis of key data and indicators of fiscal stewardship and stability
- Such other elements as determined by the Commission

Information from the annual monitoring reports will be provided to peer review teams for inclusion in the comprehensive review process. The Commission may request a special report, with or without a visit on the basis of data provided in annual monitoring reports.

Responsibility of the Institution

It is the responsibility of the institution to inform the Commission of any circumstance that significantly impacts the institution's operational, academic and student services, or fiscal strength and stability or its compliance with the Commission's Standards.

Adopted June 2014; Revised January 2020

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¹ 34 C.F.R. § 602.19.

² Headcount enrollment increases will be considered significant if they represent a one-year increase of 50% or more. If headcount enrollments are significant, then the Commission will begin to monitor the enrollments of particular programs impacting the overall institutional increase. If any such institution has experienced an increase in headcount enrollment of 50 percent or more within one institutional fiscal year, ACCJC must report that information to the Secretary within 30 days of acquiring such data.

Policy on Preaccreditation

January 2022

Background

The Accrediting Commission for Community and Junior Colleges (ACCJC) accredits institutions in the United States, its territories and affiliates, with a primary mission of granting associate degrees; institutions accredited by ACCJC may also award certificates and other credentials, including bachelor's degrees, if those credentials are within the institution's mission and authorized by their governmental authorities. ACCJC may also accredit non-domestic institutions, which have as a primary mission the granting of associate degrees.

The purpose of this policy is to establish the parameters for qualified institutions interested in seeking accreditation with the Accrediting Commission for Community and Junior Colleges, Western Association of Schools and Colleges (ACCJC). An institution must first demonstrate that it meets all of the Eligibility Requirements in order to be eligible to apply for Candidacy status (also referenced as "preaccreditation" in federal regulations).

Definitions and Policy Elements

A. Eligibility

Eligibility or eligible refers to a determination by ACCJC that an institution meets the Commission's Eligibility Requirements and may apply for Candidacy status. Eligibility is not preaccreditation; rather it is a pre-condition for preaccreditation. The term eligibility may also refer to the process through which an institution demonstrates that it complies with Eligibility Requirements.

The Commission's Eligibility Requirements represent the minimum qualifications for institutions seeking an accredited status with ACCJC. Institutions wishing to pursue ACCJC accreditation must demonstrate their eligibility to apply for Candidacy status from the Commission. The process for demonstrating eligibility assures that interested institutions fall within ACCJC's scope of authority and federal recognition, and allows for an assessment of the degree to which the institution complies with all ACCJC Eligibility Requirements (ERs) for Accreditation.

Eligibility is not a formal affiliation with the Commission. An eligible institution must not make any representation which claims or implies any relationship or standing with ACCJC, even as it seeks Candidacy status. ACCJC does not list eligible institutions in its directory of member institutions.

Institutions may maintain eligibility for up to three years as they seek Candidacy. If the institution has not achieved Candidacy status within this time, its eligibility lapses. If an eligible institution changes its state of incorporation, its mission, or ownership or control during this three-year period, eligibility may be voided, necessitating a new eligibility application.

B. Candidacy Status (Preaccreditation)

Preaccreditation is a term defined in federal regulations as: “the status of accreditation and public recognition that a nationally recognized accrediting agency grants to an institution or program for a limited period of time that signifies the agency has determined that the institution or program is progressing toward full accreditation and is likely to attain full accreditation before the expiration of that limited period of time (sometimes referred to as “candidacy”).”¹

ACCJC uses the term Candidacy in its policies and manuals to reflect the status and state of preaccreditation. ACCJC policies and procedures related to Candidacy are subject to federal regulations pertaining to preaccreditation.

Candidacy refers to a status granted by ACCJC, or to the process through which institutions attain this status. ACCJC grants Candidacy status to eligible institutions that demonstrate the ability to meet all the Accreditation Standards and Commission policies, or to fully meet them within the two-year candidate period.

The Commission only awards Candidacy to those institutions it determines are likely to be successful in obtaining accreditation and sustaining compliance with the Commission’s Eligibility Requirements, Accreditation Standards, and Policies (hereafter referred to as the Commission’s Standards).² Therefore, ACCJC requires institutions to demonstrate eligibility through a rigorous screening and application process before they may apply for Candidacy status.

In addition, because federal regulations require that institutions with Candidacy status have a teach-out plan, institutions applying for Candidacy must submit the teach-out plan at the time of their comprehensive review in accordance with the Commission *Policy on Teach-Out Plans and Agreements*.³

Candidacy status represents a formal association with ACCJC. Institutions with this designation are listed in the ACCJC directory as member institutions, and an institution must identify itself to the public in accordance with the Commission’s *Policy on Represented Status*.

All credits and degrees earned and issued by an institution or program holding Candidacy status are considered by the US Department of Education to be from an accredited institution or program.⁴

In accordance with the Commission’s *Policy on Commission Actions on Institutions*, ACCJC grants Candidacy Status for a two-year period, and if conditions warrant, ACCJC can extend Candidacy for a maximum of four years. If the Candidacy period lapses or is withdrawn, the institution may not reapply for Candidacy for at least two years and must reestablish its eligibility before reapplying.

In accordance with Commission’s *Policy on Institutional Appeals*, an institution may file a request for an appeal if the Commission takes an adverse action to deny or withdraw Candidacy.

¹ § 600.2

² § 602.16; § 602.23 (f)(1)(i)

³ § 602.23 (f)(1)(ii)

⁴ § 602.23 (f)(2)

If ACCJC denies initial accreditation to an institution that has been previously granted Candidacy status, the institution may maintain Candidacy status for currently enrolled students until the institution has had a reasonable time to complete the activities in its teach-out plan to assist students in transferring or completing their programs. This extension of Candidacy status shall last for no more than 120 days unless approved by the agency for good cause.⁵

The Commission may not move an accredited institution to Candidacy status unless, following the loss of accreditation, the institution applies for initial accreditation and is awarded Candidacy status under the new application. Institutions that participated in the Title IV, HEA programs before the loss of accreditation are subject to the requirements of 34 CFR § 600.11(c).⁶

Institutions with Candidacy status may apply for initial accreditation following the process in the ACCJC's guides and manuals. Initial Accreditation is granted if the institution demonstrates that it is in compliance with the Eligibility Requirements, Accreditation Standards, and Commission policies.

Commission Review of Eligibility and Candidacy Applications

ACCJC's guides and manuals provide instruction and description on the requirements for the application process, as well as the Commission review procedures for applicants seeking Eligibility, Candidacy, and Initial Accreditation. Institutions will be notified in writing of decisions affecting their eligibility or Candidacy status.

The Commission shall consider the decisions of States and other accrediting agencies per federal regulations § 602.28 when considering applications for Eligibility or Candidacy. In accordance with *the Commission's Policy on Relations with Federal, State, and Other Accrediting Agencies*, adverse action by another institutional accrediting agency may be sufficient grounds to deny an Eligibility or Candidacy application.

Adopted June 2015; Edited June 2017; Revised January 2022

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⁵ § 602.23 (f)(1)(iii)

⁶ § 602.23 (f)(1)(iv)

Principles of Good Practice in Overseas International Education Programs for Non-U.S. Nationals

August 2012

Developed in cooperation with
COUNCIL OF REGIONAL ACCREDITING COMMISSIONS

Preface

The Presidents/Executive Directors of the regional institutional accrediting bodies of the Council of Regional Accrediting Commissions subscribe to the following principles of good practice in overseas international education programs for non-U.S. nationals. Each regional institutional accrediting body will apply these principles consistent with its own accrediting standards.

Principles of Good Practice

Institutional Mission

1. The international program is rooted in the U.S. institution's stated mission and purposes and reflects any special social, religious, and ethical elements of that mission.
2. The faculty, administration, and governing board of the U.S. institution understand the relationship of the international program to the institution's stated mission and purposes.

Authorization

3. The international program has received all appropriate internal approvals where required, including system administration, government bodies, and accrediting associations.
4. The international program has received all appropriate external approvals where required, including system administration, government bodies, and accrediting associations.
5. The U.S. institution documents the accepted legal basis for its operations in the host country.

Instructional Program

6. The U.S. institution specifies the educational needs to be met by its international program.
7. The content of the international educational program is subject to review by the U.S. institution's faculty.
8. The international education program reflects the educational emphasis of the U.S. institution, including a commitment to general education when appropriate.

9. The educational program is taught by faculty with appropriate academic preparation and language proficiencies whose credentials have been reviewed by the U.S. institution.
10. The standard of student achievement in the international program is equivalent to the standard of student achievement on the U.S. campus.
11. The international educational program where possible and appropriate is adapted to the culture of the host country.

Resources

12. The institution currently uses and assures the continuing use of adequate physical facilities for its international educational program, including classrooms, offices, libraries, and laboratories, and provides access to computer facilities where appropriate.
13. The U.S. institution has demonstrated its financial capacity to underwrite the international program without diminishing its financial support of the U.S. campus. Financing of the international program is incorporated into the regular budgeting and auditing process.

Admissions and Records

14. International students admitted abroad meet admissions requirements similar to those used for international students admitted to the U.S. campus, including appropriate language proficiencies.
15. The U.S. institution exercises control over recruitment and admission of students in the international program.
16. All international students admitted to the U.S. program are recognized as students of the U.S. institution.
17. All college-level academic credits earned in the international program are applicable to degree programs at the U.S. institution.
18. The U.S. institution maintains official records of academic credit earned in its international program.
19. The official transcript of record issued by the U.S. institution follows the institution's practices in identifying by site or through course numbering the credits earned in its off-campus programs.

Students

20. The U.S. institution assures that its institutional program provides a supportive environment for student development, consistent with the culture and mores of the international setting.
21. Students in the international program are fully informed as to services that will or will not be provided.

Control and Administration

22. The international program is controlled by the U.S. institution.
23. The teaching and administrative staff abroad responsible for the educational quality of the international program are accountable to a resident administrator of the U.S. institution.

24. The U.S. institution formally and regularly reviews all faculty and staff associated with its international program.
25. The U.S. institution assesses its international program on a regular basis in light of institutional goals and incorporates these outcomes into its regular planning process.

Ethics and Public Disclosure

26. The U.S. institution can provide to its accrediting agencies upon request a full accounting of the financing of its international program, including an accounting of funds designated for third parties within any contractual relationship.
27. The U.S. institution assures that all media presentations about the international program are factual, fair, and accurate.
28. The U.S. institution's primary catalog describes its international program.
29. The U.S. institution does not sell or franchise the rights to its name or its accreditation.
30. The U.S. institution assures that all references to transfer of academic credit reflects the reality of U.S. practice.
31. The U.S. institution assures that if U.S. accreditation is mentioned in materials related to the international program, the role and purpose of U.S. accreditation is fairly and accurately explained within these materials.

Contractual Arrangements

32. The official contract is in English and the primary language of the contracting institution.
33. The contract specifically provides that the U.S. institution controls the international program in conformity with these guidelines and the requirements of the U.S. institution's accreditations.
34. The U.S. institution confirms that the foreign party to the contract is legally qualified to enter into the contract.
35. The contract clearly states the legal jurisdiction under which its provisions will be interpreted will be that of the U.S. institution.
36. Conditions for program termination specified in the contract include appropriate protection for enrolled students.
37. All contractual arrangements must be consistent with the regional commissions' document, "Contractual Relationships With Non-Regionally Accredited Organizations."

Adopted February 1990; Edited October 2006, January 2007, August 2012

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***Adopted February 12, 1990 by the Executive Directors
of the Regional Institutional Accrediting Bodies:***

Middle States Commission on Higher Education

Commission on Institutions of Higher Education of the New England Association of
Schools and Colleges

Higher Learning Commission of North Central Association of Colleges and Schools
Northwest Commission on Colleges and Universities

Commission on Colleges of the Southern Association of Colleges and Schools

Accrediting Commission for Community and Junior Colleges,
Western Association of Schools and Colleges

Accrediting Commission for Senior Colleges and Universities,
Western Association of Schools and Colleges

Policy on Public Disclosure and Confidentiality in the Accreditation Process

June 2022

Background

The ACCJC and its member institutions provide information about the results of institutional accreditation reviews to students, the public, employers, government agencies and other accrediting bodies. These interested stakeholders rely on accreditation status as an indicator of educational quality. At a time of growing public interest in accreditation processes and its outcomes, sharing essential information with the public sustains confidence in accreditation.

The purpose of this policy is to enhance public confidence in the integrity of the accreditation process. The policy goals are:

1. To make meaningful information about institutional quality available to students and prospective students, the public, employers and government agencies;
2. To provide institutions with guidelines for communicating about their accredited status and their response to ACCJC's actions and recommendations; and
3. To protect the integrity and validity of the accreditation process by maintaining appropriate levels of confidentiality about aspects of the process.
4. To ensure the accreditation process occurs within a context of trust and confidentiality and results in an accurate appraisal of institutional quality.

Policy

Both the Commission and the institution have responsibilities to provide information about institutional quality and the accreditation process to the public. Public confidence in higher education is enhanced by disclosure of information about the outcomes of accreditation reviews. Institutional reports prepared for the accreditation process, peer review team reports, and the Commission's action letter stating the outcome of an accreditation review and the institution's resulting accreditation status, shall be made available to campus constituencies, students, and the public after the Commission takes action on the institution's accreditation.

Part A: The Commission's Responsibilities for Public Disclosure

I. Public Disclosure of Information about Accreditation Policies and Processes¹

In accordance with the requirements of the Higher Education Act, the ACCJC discloses in its appropriate publications the procedures for applying for eligibility, candidacy, or initial accreditation, and the criteria and procedures used by the Commission in determining whether to grant, reaffirm, deny, withdraw accreditation or take any other action related to the accredited status of institutions. All commission policy documents and procedural guides and manuals, as well as related publications are available on the ACCJC website. ACCJC

¹ § 602.23(a)

maintains a website, which informs members and the public about the Commission and its practices (www.accjc.org). The agency discloses through its website the names, academic and professional qualifications, and relevant employment and organizational affiliations of the Commissioners and its principal staff.

The Commission provides regular updates to its website to provide timely information about accreditation and related activities. These include a list of Commission actions, the list of institutions scheduled for comprehensive review, and updates of Commission policies.

The Commission conducts a regular review of its policies by the Commission Policy Committee. After being approved for first reading by the Commission, institutional policies are sent to the field for review and comment, followed by submission to the Commission for second reading and adoption. The Commission announces all new or revised policies after adoption.

II. Public Disclosure of Information about Institutions Accredited by ACCJC

ACCJC maintains on its website a Directory of Member Institutions currently accredited, in candidacy status, or formerly accredited by ACCJC. The Directory includes the name of the institution, its legal address and the addresses of major additional campus sites, the name of the Chief Executive Officer (CEO), the form of control, the type of accreditation or pre-accreditation (candidacy) status held by the institution, copy of the institution's most recent action letter, the date of initial accreditation, and the date when the Commission will next review the accreditation or candidacy of each institution.² The Commission also posts a Public Disclosure Notice when it takes an adverse action, and includes a link to the Institution's response, if any.

The Directory of Member Institutions also lists the names of institutions that were formerly accredited by the ACCJC and withdrew from accreditation or were subject to withdrawal or denial of accreditation or candidacy, and the date on which the Commission took adverse action on such institutions.

A Statement of Accredited Status is made available to each member institution and any member of the public upon request. The Statement includes information about the nature of the institution and the degrees and certificates it awards to students, its accredited status, the most recent Commission action on the accredited status of the institution, a definition of the meaning of the accredited status, a description of any follow-up reports or visits that may be required, and the institution's next comprehensive evaluation date.

If an institution misrepresents a Commission action, or uses a public forum to take issue with an action of the Commission relating to that institution, the Commission President retains the prerogative to inform the public, including through the press, about the action taken and the basis for that action.³

III. Public Disclosure of Information about Commission Actions on the Accredited Status of Institutions⁴

² § 602.23(a)(4)

³ § 602.23 (d)(e)

⁴ § 602.26(a-f)

The Commission discloses information to the public about all actions it takes on the accredited status of institutions. The Commission also notifies the U.S. Secretary of Education, appropriate state licensing or authorizing agencies, and other accrediting bodies of these actions within 30 days of action. It also posts this information on its website within 30 days of the action.

In cases where the Commission has taken final action to withdraw, deny or accept the withdrawal of accreditation or candidacy, or to place an institution on Probation or Show Cause, the Commission will:

- a) provide the written notification to the U.S. Secretary of Education, appropriate state licensing or authorizing agencies and accrediting bodies at the same time as notification is provided to the college but no later than 30 days after action;
- b) provide the notification to the public within one business day following the notification of Commission action to the institution; and
- c) require the institution to disclose the action to all current and prospective students within seven business days of receipt of the Commission's action letter.

When the Commission takes a final adverse action, the Commission will:

- a) supplement the institution's entry in the Directory of Accredited Institutions by a Public Disclosure Notice with a brief statement summarizing the reasons for the action taken. Institutions are permitted to provide a response to a Public Disclosure Notice.
- b) post the Public Disclosure Notice and an electronic link to the institution's response no later than 60 days after the Commission's action.
- c) provide written notification of the Public Disclosure Notice and the institution's response to the U.S. Secretary of Education no later than 60 days after the Commission's action.

In cases where an accredited or preaccredited institution decides to withdraw voluntarily from accreditation or preaccreditation, or if the institution lets its accreditation or preaccreditation lapse, the Commission provides written notification to the U.S. Secretary of Education, appropriate state licensing or authorizing agencies and accrediting bodies. The Commission will provide the notification within 10 business days of receiving notice from the institution of the date that it is withdrawing voluntarily or of the date on which accreditation or preaccreditation lapses.

IV. Public Disclosure of Information about How to File Complaints⁵

Federal regulations require accreditors to receive complaints against accredited institutions and to investigate complaints alleging that an institution has violated Accreditation Standards. Information about its procedures for filing complaints is posted on its website. ACCJC also requires member institutions to post information about how to file a complaint with ACCJC in the institution's information for students.

Part B: Member Institutions' Responsibilities for Public Disclosure

⁵ § 602.16(a)(1)(ix); § 602.23(c); § 668.43(b)

I. Disclosure of Candidacy or Accredited Status

A member institution is required to describe its accredited status using the language prescribed in the Commission's *Policy on Representation of Accredited Status*. When the institution refers to its accredited status during a period in which its accreditation status includes a sanction of Warning, Probation or Show Cause, the institution must disclose that information.

II. Disclosure of the Results of an Accreditation Review

The CEO of the institution is responsible for informing the campus community of the accreditation action taken by the Commission and the reasons for the action. If the accreditation action includes a sanction of Warning, Probation or Show Cause, or if the institution's accreditation has been withdrawn, the institution is obligated to provide that information to its students within seven business days following receipt of the Commission's action letter informing the institution of its accreditation status.

The Commission requires each accredited institution to make public the Institutional Self-Evaluation Report, the peer review team report, and the Commission action letter by placing the documents on the institution's website. Further, if an institution is required to maintain a teach-out plan and/or teach-out agreement, the institution is required to make the approved teach-out plan and/or teach-out agreement and reasons for it publicly available by posting it to the institution's website.⁶

III. Information about the Institution's Accreditors, Including the ACCJC and any other Specialized or Programmatic Accrediting Bodies, and State, Tribal or other Authorizing Bodies

The institution must post to its website and include in its catalog clear and accurate information about the agencies that have accredited it. Under federal regulations, an institution must make readily available to enrolled and prospective students the names of associations, agencies or governmental bodies that accredit, approve or license the institution and its programs and the procedures by which documents describing an institution's accreditation, tribal approval or licensing will be made available to students and prospective students.⁷

IV. Information about Contact Information for Filing Complaints with the ACCJC and with the Institution's State Approval or Licensing Agency⁸

The institution must make readily available to enrolled and prospective students the contact information for filing complaints against the institution with the agencies that accredit and that provide state licensing or approval, or tribal approval, to the institution. Enrolled and prospective students are to be referred to the Complaint Process and Complaint Policy on the ACCJC's website at www.accjc.org.

V. Information about Evaluation Visits to the Institution

⁶ § 668.43(a)(19)

⁷ § 668.43(a)(6)

⁸ § 668.43(b)

The Commission requires that the CEO notify the campus community of the date and purpose of each comprehensive review and any Follow-Up Reports or other peer review team visits requested by the Commission. Key elements in that notification to the campus community shall include the following, as appropriate:

- Notice of the opportunity for submission of third-party comments by the public and the process for doing so;
- Information regarding where and how the Accreditation Standards may be accessed;
- Information regarding the implementation of the institutional self-evaluation process, the development of the Institutional Self-Evaluation Report, and a call for widespread participation; and
- Information regarding the peer review visit, team composition, dates of the visit, and team schedule and activities. Institutions are expected to publicize times and locations during the visit when, during comprehensive reviews, peer review team members have scheduled open meetings to discuss with any member of the campus community any issue related to the institution's accreditation.

The Commission's Responsibility for Confidentiality

- I. Should the institution fail to make its Institutional Self-Evaluation Report, the peer review team report, or Commission action letter available to the public, or if it misrepresents the contents of the reports, the Commission retains the prerogative to release the reports to the public and provide accurate statements about the institution's accreditation status.
- II. Information about actions under review or appeal (denial of candidacy or initial accreditation, or withdrawal of accreditation) will not be disclosed until a final decision is rendered, unless required by federal regulation. Review and appeal procedures are found in the "Policy on Institutional Appeals."
- III. The institutional file retained in the Commission office is part of the private relationship with the institution and is therefore not available to the public.
- IV. The Commission does not release contact information of its peer reviewers to the public.
- V. In order to assure the accuracy and appropriateness of institutional information which is made public, the Commission expects peer review team members to keep confidential all institutional information read or heard before, during, and after the visit. Except in the context of Commission work, team members are expected to refrain from discussing information obtained in the course of service. Personal notes and working documents are included in the scope of confidential information.

Member Institution's Responsibilities for Confidentiality

- I. The institutional CEO is sent a draft of each peer review team report for purposes of correcting errors of fact. The CEO is expected to keep the draft report confidential.
- II. The institution is expected to refrain from releasing personal contact information about peer review team members to the public.

Adopted June 1999; Edited June 2002; Revised January 2003; Edited June 2005; Revised

*January 2006; Edited October 2007; Revised January 2010, June 2012; Edited August 2012;
Revised June 2013, October 2013, September 2018, January 2020; Revised January 2021;
Edited January 2022; Edited June 2022*

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Policy Regarding Matters Under Litigation

June 2022

The Accrediting Commission for Community and Junior Colleges supports its member institutions to advance educational quality and student learning and achievement. This collaboration fosters institutional excellence and continuous improvement through innovation, self-analysis, peer review, and application of standards. The basis for Commission decision making are detailed in the Commission *Policy on Rights, Responsibilities, and Good Practice in Relations with Member Institutions*.

The Commission also takes appropriate action on credible evidence received from any reliable source, including local and federal agencies, as well as the courts, that calls into question the ability of an institution to meet Commission Standards and policies. However, it is the policy of the Commission not to become involved in litigation between an institution and a third-party. The Commission is not an adjudicatory agency, and it is not the role or function of the Commission to arrive at any determination regarding the merits of any aspect of pending litigation.

Because of the sensitivities created when litigation is pending during an accreditation review, the Commission has developed the following guidelines.

Responsibility of the Institution

It is the responsibility of the institution to inform the Commission staff, prior to a visit, of any pending litigation against the institution, chief executive officer, or governing board which may impact the ability of the institution to meet Standards, or may impact the integrity of the review process itself. The staff will consult with the liaison officer to determine if any special advice will need to be provided to the Peer Review Team Chair.

Instructions for Visiting Teams

Peer review teams are not to comment on pending litigation in such a way as to express an opinion about the merits of the lawsuit or its outcome. Team members are cautioned that anything they say or write concerning active litigation could be misinterpreted as the Commission's official position and result in attempts to compel Commission testimony in the case. Prior to a scheduled team visit, team members will be advised regarding any relevant litigation. If questions arise prior to, during, or after a visit, Commission staff should be consulted.

Adopted January 1989; Revised June 1996, Approved Revision January 2001; Edited August 2012; Revised June 2022

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Policy on Representation of Accredited Status

January 2022

Background

ACCJC member institutions must accurately post information for the public concerning its accreditation status on its website.¹ The information must be posted no more than one page (one click) away from the institution's homepage.

Policy Elements on Representation of Accredited Status

The term "accreditation" is to be used only when accredited or candidate status (preaccreditation) is conferred by the Commission. Specialized and program accreditation granted by other accreditors should be clearly specified as to the source of the accreditation, together with reference to the specific program to which it applies.

The accreditation status of a program shall not be misrepresented. The accreditation granted by the Commission has reference to the quality of the institution as a whole. Since institutional accreditation does not imply specific accreditation of any particular program in the institution, statements like "this program is accredited" or "this degree is accredited," are incorrect and misleading.

Institutions offering programs in a single field, for example, a school of art, engineering, theology, granted accreditation by the Commission shall clearly state that the institutional accreditation does not imply specialized accreditation of any program offered.

When accredited or candidate status (preaccreditation) is affirmed in institutional catalogs and other official publications, it shall be stated accurately based on the complete statements listed below.

Statements on Representation of Status

The following statements govern representations of status by institutions seeking eligibility to apply for Candidacy status; by institutions with Candidacy status (preaccreditation); and by accredited institutions. In addition to the statements in this policy, institutions on warning, probation, or show cause, and institutions whose accreditation has been withdrawn, must disclose that information to students and prospective students in accordance with the Commission's *Policy on Public Disclosure and Confidentiality in the Accreditation Process*.

A. Representation by Institutions Seeking Eligibility to Apply for Candidacy Status

An institution that is preparing, has submitted, or completed an eligibility application has no formal relationship with the Commission. An institution that has attained eligibility to apply

¹ § 602.23 (d)

for Candidacy status (preaccreditation) may not make any representation which claims or implies any relationship with the Accrediting Commission.

During the period in which the college prepares its institutional self-evaluation in support of its application for Candidacy status (preaccreditation), the institution does not have a publicly recognized relationship with ACCJC and may not represent itself to current or prospective students, the public, governmental agencies, other accrediting bodies, or any other parties as having an affiliation or accredited status with the Commission.

No formal or informal statements should be made about possible future accreditation, status, or qualification which is not yet conferred by the Commission.

Once ACCJC has determined that an institution is eligible to apply for Candidacy status (preaccreditation), representations should include and be limited to the following statement:

At its (date of meeting) meeting, the Eligibility Committee of the Accrediting Commission for Community and Junior Colleges, Western Association of Schools and Colleges reviewed the Eligibility application submitted by (name of institution) and deemed (name of institution) eligible to apply for Candidacy status. Eligibility indicates that an institution demonstrates that it meets all of the Commission's Eligibility Requirements. Eligibility does not establish a formal relationship between the Commission and the institution. Inquiries about accreditation should be made to the Commission office: ACCJC, 331 J Street, Suite 200, Sacramento, CA 95814, (415) 506-0234; accjc@accjc.org.

B. Representation by Institutions with Candidacy Status

Representations of Candidacy status (preaccreditation) should include and be limited to the following statement (note that both paragraphs are required):

(Name of institution) is a Candidate for Accreditation by the Accrediting Commission for Community and Junior Colleges, Western Association of Schools and Colleges, 331 J Street, Suite 200, Sacramento, CA 95814, (415) 506-0234, an institutional accrediting body recognized by the Council for Higher Education Accreditation and the U.S. Department of Education. Additional information about accreditation, including the filing of complaints against member institutions, can be found at: www.accjc.org

Candidate for Accreditation is a status of preliminary affiliation with the Commission initially awarded for two years. Candidacy does not assure eventual accreditation.

C. Representation of Status by Accredited Institutions

Representations of accredited status should include and be limited to the following statement. Additional modifiers such as "fully accredited" are not appropriate since no partial accreditation is possible.

(Name of institution) is accredited by the Accrediting Commission for Community and Junior Colleges, Western Association of Schools and Colleges, 331 J Street, Suite 200, Sacramento, CA 95814, (415) 506-0234, an institutional accrediting body recognized by the Council for Higher Education Accreditation and the U.S. Department of Education. Additional information about accreditation, including the filing of complaints against member institutions, can be found at: www.accjc.org

*Adopted June 1998; Revised January 1999; Edited June 2003, August 2006, August 2012;
Revised June 2013, June 2014; Edited November 2019; Revised January 2022*

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

January 2022

Background

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 times¹. 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,

¹ ACCJC Accreditation Standard IV.B.4

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

B. Development and Promulgation of Commission Standards

Commission:

The Commission has the responsibility to develop and promulgate standards,³ which are consistent with the purposes of accreditation, which are sufficiently flexible to allow diversity of institutional missions and effective program development, and which meet the requirements of the U.S. Department of Education (ED).

The Commission will provide opportunities for broad participation in the development and acceptance of the Eligibility Requirements, Accreditation Standards, and Commission policies.⁴

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 periodic reviews of them. The CEO and ALO will 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.

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 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 maintain all correspondence and records on the accreditation history of the institution, including ACCJC substantive change actions and administrative approvals. An institution may share records of the institution's accreditation history, as appropriate, within the campus community.

² ACCJC *Policy on the Role of the Accreditation Liaison Officer*

³ The Eligibility Requirements, Accreditation Standards, and Commission policies together represent the Commission standards. Implementing procedures can be found in the ACCJC Guides and Manuals.

⁴ ACCJC *Policy on Review of Accreditation Standards*

D. 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 visits as required under the Commission's adopted accreditation processes and policies⁵; 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.

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.

2. Third Party Comment for Comprehensive Accreditation or Pre-Accreditation (Candidacy) Visits⁶

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's focused site 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 for notifying the campus community and public, six months prior to the focused site visit, of the opportunity and process for submission of third-party comments concerning the institution's ability to meet Standards. 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's focused site visit.

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. The Commission has the responsibility to assure

⁵ ACCJC *Policy on Commission Actions*; ACCJC *Policy on Monitoring Institutional Performance*

⁶ 34 C.F.R. §602.23 (b)

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 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.

4. Peer Review Team Reports

Commission:

The Commission has the responsibility to 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 CEO with an opportunity to correct all factual errors in the team chair's draft Peer Review Team Report and to provide supplemental materials pertinent to the facts that were available at the time of the visit in the draft Peer Review Team Report before the Commission takes action on the accredited status of the institution. 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 draft Peer Review Team Report to make corrections on errors of fact. The institution's CEO has the right to provide to the Commission 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.

E. Accreditation Decisions

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

⁷ ACCJC Policy on Public Disclosure and Confidentiality in the Accreditation Process; ACCJC Statement on the Process for Preserving Confidentiality of Documents Related to Institutional Evaluations

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 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 actions 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; publish accrediting decisions, both affirmative and negative, except for eligibility (which is not made public); and maintain the confidentiality of the draft Peer Review Team Report until after the Commission has acted on it.⁸

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 and to make public the Commission's action letter and accompanying final Peer Review Team Report, as well as associated institutional reports. A member institution has a responsibility to respond to the Commission requirements and/or recommendations within the time parameters set by the Commission. A member institution has the right to appeal adverse accreditation decisions.⁹

F. 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 require institutions to provide periodic reports, special reports, annual reports, evidentiary documents, and/or documents prepared by external third parties, such as external audits, as well as require additional visits.¹⁰ The Commission can also request the reevaluation of an

⁸ ACCJC *Policy on Public Disclosure and Confidentiality in the Accreditation Process*

⁹ ACCJC *Policy on Institutional Appeals*

¹⁰ ACCJC *Policy on Commission Actions*; ACCJC *Policy on Monitoring Institutional Performance*; ACCJC *Policy on Substantive Changes*; and ACCJC Eligibility Requirement 21

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.

Policy adopted January 2005; Edited August 2007, October 2007; Revised June 2011, June 2012; Edited August 2012; Revised October 2013, January 2014, January 2016, June 2017, January 2020, Revised June 2021; Edited January 2022

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Policy on the Role of Accreditation Liaison Officers

January 2022

Background

The Commission regularly communicates with institutions about matters of policy and institutional quality. By policy, the Commission communicates with institutions through the Chief Executive Officer (CEO). Institutions also need a designated Accreditation Liaison Officer (ALO) to be a second point of contact with the Commission, to maintain institutional records of accreditation activities, and to help to organize institutional responses to Eligibility Requirements, Accreditation Standards and Commission policy requirements.

Policy

The institution's Chief Executive Officer shall identify an Accreditation Liaison Officer and send the individual's name to the Commission office. The ALO assists the CEO in addressing accreditation matters and serves as the second contact person for the Commission staff. The institution must inform the Commission immediately if there is a change in the ALO.

Policy Elements

The main roles of the ALO are to:

- stay knowledgeable about accreditation, including the Eligibility Requirements, Accreditation Standards and Commission policies (together Commission's Standards);
- promote an understanding of accreditation requirements, quality assurance, and institutional effectiveness among constituencies at the college;
- communicate information about accreditation and institutional quality that is available from the ACCJC, including letters sent to the institution and materials posted to the ACCJC's website;
- serve as the key resource person in planning the institutional self-evaluation process;
- manage procedures to assure that the institution maintains the comprehensive collection of institutional files containing Commission information including previous institutional reports, peer review team reports and action letters;
- prepare the institution for comprehensive review in collaboration with the peer review team chair and vice chair;
- maintain regular communication with the CEO and the college on accreditation matters;
- facilitate timely reports to the Commission, including Annual Reports and Substantive Change Proposals;
- attend ALO training; and

- in multi-college districts or systems, communicate with appropriate system staff and ALOs at other campuses to engage in system-wide quality improvement, to coordinate reports to the Commission and peer review team visits.

Adopted June 2012; Reviewed January 2022

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Policy on Social Justice

June 2021

Commission Commitment to Social Justice

The Commission recognizes the moral necessity of promoting equity and diversity through its policies and practices, and creating a climate of inclusion and anti-racism among its membership. While issues of diversity encompass many historically marginalized groups, the pressing nature of racial inequity in higher education demands immediate attention. Therefore, the Commission's current commitment to promote equity, diversity, and foster inclusionary practices is rooted in its understanding of historical and systemic institutional racist structures and policies that exist in society, stemming from prejudice, discrimination, and implicit biases, which have benefited white people and disadvantaged people of color.

Consistent with its mission to advance educational quality and student learning and achievement, the Commission is committed to applying its leadership, advocacy efforts, and position of influence to dismantle historical and institutional racism and eradicate educational inequities. To this end, the Commission will engage in anti-racist work by taking an equity minded approach to its Standards and the revision process leading to the 2024 Standards. In addition, the Commission will recruit more colleagues of color for peer review teams; recruit more colleagues of color to be Commissioners; and infuse anti-racism discussions into ACCJC's professional development programs through conferences, symposiums, and webinars for member colleges and for ACCJC staff and Commissioners.

Commission Expectations for Representatives of the Commission

The Commission expects that all individuals associated with the Commission, whether as Commissioners, peer review team members, consultants, administrative staff or other agency representatives, will embrace and carry forward this commitment to social justice, in all interactions; work effectively with people from diverse backgrounds and professional levels; and respect multiple perspectives to support the advancement of educational quality in the region represented by ACCJC's public and private institution types, dispersed in wide-ranging geographical locations from California to Hawai'i and the Pacific Region, Guam, American Samoa, the Republic of Palau, the Federated States of Micronesia, the Republic of the Marshall Islands, and the Commonwealth of the Northern Mariana Islands, and all other geographic areas where the Commission may conduct its business.

Commission Expectations for Member Institutions

The Commission is committed to a mission-based higher education model that assures equity, educational opportunity, and success for all students by upholding standards that require member institutions to address historical inequities. The Accreditation Standards thread together the following principles and requirements for institutions to strengthen their ongoing culture of continuous quality improvement to promote equity, diversity, and inclusion:

- An institution's mission and goals reflect a commitment to meeting the educational needs of its students (Standard IA, Eligibility Requirement 6);
- Provide data disaggregated and effective mechanisms to identify performance gaps, implement strategies to mitigate gaps, and engage in dialog on student equity (Standard IB, Eligibility Requirement 11 and 19);
- Effective use of delivery modes, teaching methodologies, and learning support services that reflect the diverse and changing needs of its students, in support of equity in success for all students (Standard IIA);
- Learning outcomes on the ability to engage diverse perspectives (Standard IIA);
- Providing appropriate, comprehensive, and reliable services to students regardless of service location or delivery method to assure equitable access (Standard IIC, Eligibility Requirement 15);
- Promoting policies that support diverse personnel and assessment of employment equity and diversity (Standard IIIA);
- An institution's mission and goals are the foundation for financial planning to meet the educational needs of its students (Standards IIID, Eligibility Requirement 18);
- Policies and procedures for decision making roles and responsibilities to ensure appropriate consideration of relevant perspectives (Standard IVA);
- Ethical and effective leadership throughout the organization guides the accomplishment of the mission and supports institutional effectiveness and improvement (Standard IVA, IVB, IVC).

The Commission is deeply committed to embracing the diversity of its member institutions in the context of their unique mission. It therefore requires member institutions to use data and evidence to inform practices to improve equity and expects that institutional policies and practices foster a sense of inclusion and belonging among its diverse stakeholders. While each institution will address in their own way the opportunities to improve educational equity, support diversity, and create a campus culture of inclusion, the Commission is dedicated to supporting institutions in their pursuit of educational excellence.

Adopted January 1994; Revised June 2021

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Statement on the Benefits of Accreditation

January 2022

Background

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.

The Accrediting Commission for Community and Junior Colleges is statutorily recognized by the U.S. Department of Education¹ as an institutional accrediting agency.

Statement

Guided by the Commission's mission, values, and strategic plan, the Commission shall ensure that its accrediting actions sustain and enhance quality and maintain the values of higher education among member institutions. The Commission serves the public interest by providing information on its actions to institutions, the public, and students.

Statement Elements

The Commission assures a threshold level of quality. When the Commission accredits an institution, it certifies that the institution has an appropriate mission, has the resources necessary to accomplish its mission, has the data and utilizes those data appropriately to demonstrate that it is accomplishing its mission, and gives reasons to believe that it will continue to accomplish its mission.

¹ Authority is contained in 34 C.F.R. § 602. Also see U.S. Department of Education listing of recognized accrediting agencies, http://www2.ed.gov/admins/finaid/accred/accreditation_pg6.html

The Commission functions to reinforce the following core values of higher education: institutional quality and autonomy, academic freedom, commitment to degree education, commitment to general education, collegial governance, and social justice. The Commission reinforces the value of institutional autonomy through its emphasis on a mission-based approach to quality review. The Commission values and supports academic freedom for all constituencies. The Commission provides a firm foundation for the value of the academic or career/technical degree and general education by requiring that institutions both grant degrees and offer general education as a component of every degree. The Commission's accreditation process is a collegial **process** of peer review.

The Commission and its accreditation provide to students an assurance that the educational activities of the accredited institution have been found to meet Accreditation Standards and are satisfactory. This accredited status provides students the following benefits: easier transfer of earned academic credits when those credits are appropriate to the receiving institution; the opportunity to access federal financial aid; and greater acceptance of the students' credits, certificates and degrees by employers, licensing agencies, and other institutions of higher education.

The Commission provides to its member institutions an incentive for self-evaluation and self-directed institutional improvement through the institutional self-evaluation, the first stage of the accreditation process. The Commission provides to member institutions valuable information and recommendations for improvement through the peer evaluation process, and through the Commission's action letters, monitoring and follow up evaluations of institutions that may occur. The Commission provides to its member institutions a guard against external encroachment harmful to institutional quality, an enhanced reputation of the accredited institution because of its voluntary participation in peer review, and access to federal programs and private support that aid postsecondary education.

The Commission provides to the public an assurance that through external evaluation the institution conforms to established standards of good practice in higher education, and that its credits, certificates and degrees can be trusted. The Commission provides assurance that an institution of higher education is committed to improving the quality of its educational offerings and an assurance that the institution is operating within legal and fiscal practices of good conduct appropriate to an institution of higher education.

Adopted June 2004; Revised January 2011; Edited June 2012, August 2012; Edited January 2022

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Policy on Student and Public Complaints Against Institutions

June 2019

Accreditation by the Accrediting Commission of Community and Junior Colleges, Western Association of Schools and Colleges (the Commission) is an expression of confidence that an institution is satisfactorily achieving its mission, and that it meets or exceeds the Commission's Eligibility Requirements, Accreditation Standards and abides by Commission policies. The Commission is concerned with institutional integrity and with performance consistent with Accreditation Standards and policies. While it cannot intervene in the internal procedures of institutions or act as a regulatory body, the Commission can and does respond to complaints regarding allegations of conditions at affiliated institutions that raise significant questions about the institution's compliance with the Accreditation Standards expected of an accredited institution.

The Commission does not consider allegations concerning the personal lives of individuals connected with its affiliated institutions. It assumes no responsibility for adjudicating isolated individual grievances between students, faculty, or members of the public and individual institutions. The Commission will not act as a court of appeal in matters of admission, granting or transfer of academic credit, grades, fees, student financial aid, student discipline, collective bargaining, faculty appointments, promotion, tenure and dismissals or similar matters.

The Commission requires that each accredited institution have in place student grievance and public complaint policies and procedures that are reasonable, fairly administered, and well publicized. A complainant filing a complaint with the Commission should demonstrate that a serious effort has been made to pursue all review procedures provided by the institution.

Complaints are considered only when made in writing, when the complainant is clearly identified, and the complainant's address is included. Complaints must be submitted to the Commission within 18 months from the date of the alleged occurrence. Substantial evidence should be included in support of the allegation that the institution is in significant violation of the Eligibility Requirements, Accreditation Standards and Commission policies (together Commission's Standards). Such evidence should state relevant and provable facts.

When the Commission receives a complaint about a candidate or accredited institution, it reviews that information to determine if it is relevant to the compliance of that institution with the Commission's Standards. If appropriate, such information may be referred to the institution and/or to the visiting team next scheduled to evaluate the institution. The Commission at all times reserves the right to request information of an affiliated institution and to visit that institution for purposes of fact-finding, consistent with Commission policy. If Commission investigation yields credible evidence that indicates a systemic problem that calls into question the institution's ability to meet the Commission's Standards, the Commission may invoke the sanctions provided for in policy.

Procedures

1. It is the complainant's responsibility to do the following:
 - a. State the complaint in the clearest possible terms.
 - b. Provide, in writing, a clear description of the evidence upon which the allegation is based.
 - c. Demonstrate that all remedies available at the institution (grievance procedures, appeals, hearings, etc.) have been exhausted. The complainant should describe what has been done in this regard.
 - d. Acknowledge awareness that Commission staff may send a copy of the complaint to the Chief Executive Officer of the institution.
 - e. Include name and address.
 - f. Sign the complaint.
2. Within ten working days of the receipt of a complaint it will be acknowledged in writing and initially reviewed by the staff of the Commission. Individual complaints, whether acted upon or not by the Commission, will be retained in Commission files.
3. If the Commission staff finds the complaint to be not within the scope of Commission policies and jurisdiction, the complainant will be so notified.
4. If the complaint appears to be within the scope of Commission policies and jurisdiction, and is substantially documented, a copy of the complaint will be forwarded to the institution's Chief Executive Officer (and copied to the institution's Accreditation Liaison Officer), who will be asked to respond to the complaint by addressing a letter and any supporting evidence to the appropriate Vice President of the Commission within thirty working days.
5. The Commission's Vice President will review the complaint, the response, and evidence submitted by the institution's president, and will determine one of the following:
 - a. That the complaint will not be processed further. The complainant will be so notified within ten working days.
 - b. That the complaint has sufficient substance to warrant further investigation. If the Commission decides to investigate a complaint, it will inform the complainant of its decision to investigate at the same time it informs the institution of its intent to investigate.
6. As part of its investigation, the Commission may request information of the institution and may send representatives to visit that institution for purposes of fact-finding. The Commission may also request information of other agencies that accredit the institution or authorize it to operate, and of the U.S. Department of Education. If further investigation is warranted, the time to conduct the investigation may vary considerably depending on the circumstances and the nature of the complaint. Applicable complaints may be provided to the comprehensive review team chair for investigation during the external evaluation site visit.

7. The Commission will prepare a Report of the Findings of the Complaint Investigation. Prior to the Commission's disposition of the complaint, the institution will have an opportunity to respond in writing within thirty working days to the findings of the investigation.
8. The Commission will consider the Complaint, the Report of the Findings of the Complaint Investigation, and any institutional response to the findings of the investigation in reaching a disposition on the Complaint. Although every effort will be made to expedite a decision, it is not possible to guarantee a specific time frame in which the process will be completed.
9. If the Commission's deliberations conclude that there is credible evidence that the institution is not meeting Accreditation Standards or complying with Commission policies, the Commission may (a) provide directives to the institution to take immediate corrective actions, or (b) invoke any of the sanctions provided for in policy. The Commission will also schedule appropriate monitoring of the institution's subsequent response, including calling for Special Reports and visits by Commission representatives.
10. The decision is final and will be communicated by the Vice President of the Commission to the institution and the complainant. If the complaint was referred to the ACCJC by another agency, the Commission will provide that agency with copies of correspondence that state the outcome of the complaint within ten working days of the Commission decision on the disposition of the complaint. The Commission will also provide the U.S. Department of Education notice of the disposition of any complaint that directly or indirectly affects an institution's eligibility for Title IV funds.
11. The Commission will keep a record of student and public complaints against member institutions. Commission staff will report to the Commission annually regarding the status and resolution of student and public complaints against member institutions.

Adopted June 1972; Revised January 1984, January 1993; Edited October 1997; Revised June 2001; Edited August 2007; Revised January 2013; Edited April 2013; Revised June 2019

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Policy on Substantive Change

January 2022

Background

The U.S. Department of Education regulations require that accrediting agencies have adequate policies and procedures to ensure that any substantive changes to the educational mission, or programs of an institution, maintain the capacity of the institution to continue to meet Accreditation Eligibility Requirements, Accreditation Standards, and Commission policies. Membership of the Substantive Change Committee is set forth in the ACCJC Bylaws and represents the composition of academic and administrative personnel, and of public representatives, required of decision-making bodies by the U.S. Department of Education.¹ In addition, educators with specialized expertise may be invited to serve as expert advisors to the Committee to facilitate consideration of substantive change applications involving programs or single-purpose institutions that prepare students for a specific profession. These expert advisors are not members of the Substantive Change Committee and do not vote on substantive change requests.

Federal law mandates that accrediting agencies require institutions to obtain accreditor approval of a substantive change before the change is included in the scope of the accreditation granted to the institution. The scope of an institution's accreditation covers all activities conducted in its name. The Commission's Substantive Change Committee is the decision-making body of the Commission for substantive change requests. Unless the Substantive Change Committee decides to refer a matter to the Commission for review and action, the Committee's action on a substantive change request serves as the final decision.

Policy

The Commission, through its Substantive Change Committee and processes, ensures that institutions continue to meet the Eligibility Requirements, Accreditation Standards, and Commission policies. The substantive change process requires evidence of institutional planning, resource commitment to the proposed change, and evidence that following the change, the institution continues to meet the Eligibility Requirements, Accreditation Standards and Commission policies.

It is the institution's responsibility to demonstrate the effect of a substantive change on the quality, integrity, capacity and effectiveness of the total institution. Substantive changes must be approved by the Substantive Change Committee prior to implementation.² The Committee will not approve a substantive change to be effective on a date prior to its action on the substantive change. The approval of a substantive change application will be effective on the date the Substantive Change Committee votes affirmatively to approve the change.

¹ 34 C.F.R. § 602.15(a)(3).

² 34 C.F.R. § 602.22.

The Commission publishes a *Substantive Change Manual* that describes the approval process. Institutions seeking approval for a substantive change should note that substantive change applications are subject to review, on the basis of specific evaluation criteria below, and on the impact of the change on the institution's ability to sustain compliance with Eligibility Requirements, Accreditation Standards, and Commission policies.

The institution's accreditation will be extended to areas affected by the change upon review and approval by the Substantive Change Committee. Any substantive change approval may include the requirement for a follow-up report and team visit to address specific issues identified by the Substantive Change Committee and to verify that the institution remains in compliance with Eligibility Requirements, Accreditation Standards, and Commission policies as the program implementation moves forward.

Policy Elements

I. Timing Considerations for a Substantive Change Application

Substantive change approval is needed before an applicable change can be implemented and before affected students can qualify for federal financial aid. Thus, prior to approval, the change may not be represented or advertised as a part of the institutional accreditation.

Accredited institutions seeking substantive change are aware of and, per Standard I.C.12, have committed to remaining in compliance with Eligibility Requirements, Accreditation Standards, and Commission policies at all times. A substantive change application is timely when the institution has progressed in its planning to a point where it is able to demonstrate and provide evidence that the change meets Eligibility Requirements, Accreditation Standards, and Commission policies and any specific evaluation criteria.

In the following circumstances, institutions may not submit a substantive change application:

- In the six-month period preceding a focused site visit as part of its comprehensive review.
- During the period that an institution is on a sanction such as Warning, Probation, or Show Cause until the conditions that resulted in a sanction have been resolved and the Commission has reaffirmed accreditation. If the sanction includes a specific recommendation which cites as a non-compliance the institution's failure to seek substantive change approval of an existing program, delivery mode, or location, then, to the extent of that recommendation only, the institution may proceed with a substantive change application.
- If the institution is subject to withdrawal of accreditation, pending the outcome of administrative remedies.

II. Changes classified as Substantive Changes

Substantive changes include, but are not limited to, the following³:

³ Please note that although some change at an institution may not warrant substantive change review, the institution should still take all necessary steps to ensure the Eligibility Requirements, Accreditation Standards, and Commission policies related to that change are being met.

A. Change in Mission, Objectives, Scope, or Name of the Institution

- Substantive change in the mission or objectives of the institution or its programs; if the mission or objectives of the institution becomes dramatically different, the Commission reserves the right to require the institution to complete the eligibility, candidacy, and initial accreditation process
- Change in the degree level from that which was previously offered by the institution, i.e., offering a degree at a level higher than the accredited institution offers currently
- Change in the official name of the institution
- Merger of two separately-accredited ACCJC institutions into a single accreditable institution
- Reduction of programs to an extent that the institution's mission cannot be accomplished

B. Change in the Nature of the Constituency Served

- Change in the intended student population
- Closure of an institution or loss of state authorization or licensure for the institution or a program, withdrawal of or from accreditation if such withdrawal will result in closure⁴
- Closure of a location geographically apart from the main campus at which students can complete at least 50% of an educational program
- Courses or programs offered outside the geographic region currently served

C. Change in the Location or Geographic Area Served

- Move of the institution to a new permanent location or an addition of a permanent location, geographically apart from the main campus, where students can complete 50% or more of a program. The Substantive Change Committee will determine if an institution applying for substantive change for a new permanent location requires a visit to the site. Considerations related to an additional or new location include the following:
 - The institution must have the fiscal and administrative capacity to operate the additional location. If required, a visit will be arranged within six months of review to an additional or new location the institution establishes. The purpose of the site visit is to verify that the location has the personnel, facilities, and resources the institution claimed to have in its substantive change application.
- The Substantive Change Committee may not approve an institution's addition of locations after the institution undergoes a change in ownership resulting in a change of control⁵ until the institution demonstrates that it meets the conditions for the Commission to pre-approve additional locations.⁶

⁴ See the Policy on Closing an Institution for further discussion of requirements related to closing an institution, as well as the *Policy on Teach-Out Plans and Agreements*.

⁵ as defined in 34 C.F.R. § 600.3.1

⁶ 34 C.F.R. § 602.22(a)(1)(ii)(I)

- Institutions which have successfully completed at least one cycle of accreditation and have received approval for the addition of at least two additional locations, do not need prior approval for substantive change; institutions must report the changes to ACCJC within 30 days if they have met criteria indicating sufficient capacity and control.

D. Change in the Control or Legal Status of the Institution

- Change in the form of control, legal status, or ownership of the institution
- Merger with another institution⁷
- Separation of one unit of the institution into separate institutions, dividing an institution into two or more separately controlled and accredited units, or a change of an off-campus site into a separate institution, or a change of an accredited institution into an off-campus site or branch campus
- Acquisition of any other institution or program or location of another institution, and/or the addition of a permanent location at the site of a teach-out the institution is conducting

E. Change in Programs or their Mode of Delivery that Represents a Significant Departure from Current Practice

- Change in the mode or location of courses when the change constitutes 50% or more of a program, degree or certificate. This includes the following:
 - 50% or more of a program offered at a new or different permanent location;
 - 50% or more of a program offered through distance education or correspondence education;
 - Course additions that constitute 50% or more of a program.
- Addition of programs that represent a significant departure from existing offerings of educational programs or methods of delivery from those offered when the institution was last evaluated

F. Change in Credit Awarded

- Change in the way an institution measures student progress, including whether the institution measures progress in clock hours, semesters, trimesters, or quarters, or uses time-based or non-time based methods
- Substantial increase or decrease in the number of clock or credit hours awarded, or an increase in the level of credential awarded, for the successful completion of one or more programs

G. Implementation of a Baccalaureate Degree Program⁸

- Addition of an instructional program that leads to the award of a baccalaureate degree
- Addition of an area of emphasis within a baccalaureate degree program of study

⁷ See also *Policy on Contractual Relationships with Non-Accredited Organizations*

⁸ See the *Policy on Accreditation of Baccalaureate Degrees*

- Designation of a minor which can be awarded in association with a baccalaureate degree

H. Implementation of Direct Assessment⁹

- Change of an instructional program from clock hours or credit hours, to direct assessment of student learning. This includes programs using a hybrid approach.
- A program must obtain U.S. Department of Education approval as a direct assessment program for the first program it offers (including hybrid programs) to be eligible for Title IV funding. Subsequent programs from the same institution will not require the Department approval for Title IV funding.¹⁰

I. Contractual Relationship with a Non-Accredited Organization

- More than 25 percent of one or more of the accredited institution's educational programs is offered by the non- accredited organization.¹¹

III. Circumstances that May Require Reports and Evaluation

A. Special Report and/or Visit

- As a result of a Substantive Change application or review, circumstances may come to the attention of the Substantive Change Committee that may cause the Committee to recommend to the Commission that a special report is needed to be submitted by an institution. This report may be followed by a visit. These circumstances are:
- Information that reveals or indicates a significant departure from Eligibility Requirements, Accreditation Standards, and Commission policies;
- Evidence of unethical practices;
- Closure of a program or institution due to loss of state authorization or licensing;
- Lack of effective educational policies and practices; or
- Other circumstances or the accumulation of changes wherein the Commission concludes the institution, to which it granted accreditation, has effectively ceased to operate under the conditions upon which accreditation is granted.

B. Comprehensive Institutional Evaluations

Major substantive changes may cause the Substantive Change Committee to decide that a comprehensive review is required.¹² Comprehensive reviews will include a visit by a peer review team and a Commission decision. Situations which may trigger this determination include:

- Change of ownership/control/legal status during the process of reaffirmation of accreditation or candidacy status;

⁹ See the *Policy on Competency Based Education*

¹⁰ See 34 C.F.R. § 668.10

¹¹ 34 C.F.R. § 602.22(a)(1)(ii)(J)

¹² 34 C.F.R. § 602.22(a)(h) Comprehensive evaluations triggered by a major substantive change will proceed in the same manner as a regularly scheduled comprehensive review, with an institutional self-evaluation report, peer review and peer review team report, and action by the Commission on the accredited status of the institution.

- Complete or significant change in mission and/or a significant change of mission sought within two years of a change of ownership and change of control;
- Any relocation coupled with a change of mission;
- A change of classification from an off-site location to a stand-alone institution;
- Student indebtedness compared to program, job market, and salary;
- Poor student graduation rates, program quality, performance and/or program outcomes;
- Rapid growth in the number of sites where more than 50% of an educational program is offered;
- Any change that results in the transition to a primarily distance education institution; or
- Other circumstances or the accumulation of changes as determined by the Substantive Change Committee.

IV. Actions on Substantive Change

The charge of the Substantive Change Committee is to ensure that any substantive changes meet the expectations of accreditation (the Eligibility Requirements, Accreditation Standards, and Commission policies) and that implementation of the change will not adversely affect the institution's capacity to continue to meet the Eligibility Requirements, Accreditation Standards, and Commission policies. The actions of the Committee are considered actions of a decision-making body on the accredited status of a member institution (as to the substantive changes). The review is rigorous and verifies compliance with expectations in Eligibility Requirements, Accreditation Standards, and Commission policies.

Informal communications and feedback by ACCJC staff with institutional representatives prior to committee review of the institution's substantive change are intended to provide assistance to colleges as they progress through the substantive change approval process, but staff do not predict the outcomes of the Committee decision.

The Substantive Change Committee may take the following actions:

Approve the substantive change. The institution has demonstrated that it meets the evaluation criteria.

Approve the substantive change and require a Follow-Up Report with or without a visit, or a visit without an institutional report. The institution meets the evaluation criteria, but the committee has specific questions (which don't require deferral), identifies that general verification is needed of sustained practice, or has questions concerning further implementation stages. Visit timeline will be specified: 6-18 months. The Committee will review the report(s).

Provisionally approve a planned substantive change that is subject to a federally mandated site visit. The institution's submitted plans for a change of ownership, new location, or creation of a branch campus demonstrate future actions that will meet the evaluation criteria. The provisional approval allows the institution to move forward with steps

of implementation in preparation for seeking approval of the substantive change. The provisional approval may include a site visit. The provisional approval must state a date, not to exceed three years, by which the change must be approved for inclusion in the institution's accreditation. If that time is exceeded, then the substantive change request process must be initiated anew. A new location which requires a federally mandated site visit cannot be provisionally approved if there has been a change in ownership since the institution has successfully had three new locations approved by substantive change. The Committee may require additional reports or visits before the approval is final.

Defer pending additional information. Consideration of the request cannot move forward without receipt of additional information demonstrating the evaluation criteria are met.

Deny the substantive change. The institution has not demonstrated that the change meets the evaluation criteria.

Refer the proposed change to the Commission. The substantive change application can be referred by the Substantive Change Committee to the Commission when it has determined there may be the need for a comprehensive review or for a special report and visit. The evaluation of the institution's substantive change follow-up report and/or visit may also be referred to the Commission when deemed appropriate for review by the full Commission. The Committee's referral to the Commission will include the reasons for such referral.

V. Substantive Change Actions Involving Federally Mandated Visits

Federal regulations require that certain substantive changes include a site visit as part of the approval¹³. Generally visits are required when there is an additional location where at least 50% of a program is offered, when a branch campus is established, or when there is a change in ownership that results in a change of control.

A. New location where at least 50% of an educational program is offered

When there is a change that constitutes 50% or more of a program, certificate, or degree, at a new location, a federally-mandated site visit is required. The purpose of the visit is to verify that the information provided by the institution in its substantive change application was accurate and complete. It is also used to verify that the actions implemented align with the plans that received provisional approval by the committee. Visits must take place no later than 6 months after the substantive change approval.

A federally mandated site visit is required if the institution has:

- Three or fewer additional locations;
- Not demonstrated that it has a record of effective educational oversight of additional locations;
- Been placed on warning, probation or show cause;
- Rapid growth in the number of additional locations (more than 20%) within one year.

¹³ 34 C.F.R § 602.22(f)(i)

A federally mandated site visit is not required for a new location if there are findings that the institution has met the conditions below and that the evidence demonstrates it has clearly identified academic control; regular evaluation of the locations; adequate faculty, facilities, resources and academic and student support systems; financial stability; and long-range planning for expansion. The conditions for an exemption from a federally mandated site visit include:

- The institution has successfully completed one cycle of accreditation (comprehensive review —midterm review —comprehensive review) and has achieved reaffirmation of accreditation; and
- Has at least three additional locations that were previously approved by the accreditor; and
- Has a demonstrated record of effective oversight of additional locations; and
- The institution is not on sanction.

B. Branch campus

Substantive Change uses the federal regulation definition¹⁴ of a Branch Campus. Federal regulations define a branch campus as a location of an institution that is geographically apart and independent of the main campus of that institution. The branch location of an institution is independent if it is (1) is permanent in nature; (2) offers courses in educational programs leading to a degree, certificate, or other recognized educational credential; (3) has its own faculty and administrative or supervisory organization; and (4) has its own budgetary and hiring authority. An institution must provide a business plan in advance of establishing a branch campus (describing the educational programs, the projected revenues/ expenditures/cash flow, the operation, management and physical resources of the branch campus). Approval (accreditation) can only be given after determining the campus has sufficient educational, financial, operational, management, and physical resources. There must be a site visit as soon as possible after the campus is established,¹⁵ in any case no longer than six months after.

C. Change of ownership

Changes in the ownership of an institution which result in a change of control are subject to federally mandated site visits. The Substantive Change Committee can designate the effective date of its approval as being the date of the actual change, so long as the Committee decision is within 30 days of that change of ownership. There must be a site visit as soon as possible after the change takes effect, in no case later than six months after the change.

Adopted October 1972; Revised January 1978, June 1991, June 1996; Edited October 1997; Revised January 2002; Edited June 2002, August 2004; Revised June 2011; Edited June 2012, August 2012; Revised June 2013, Revised October 2013, Revised June 2015, June 2016, Revised June 2018; Revised January 2021; Edited January 2022

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¹⁴34 CFR § 600.2

¹⁵ The campus will be deemed to be established when classes are first offered after the criteria for independence are met.

Policy on Teach-Out Plans and Agreements

June 2021

Background

ACCJC seeks to ensure the equitable treatment of students by requiring institutions to submit a written teach-out plan, and if practicable, teach-out agreement, upon the occurrence of certain events or circumstances which might lead to voluntary or involuntary closure. The Commission's *Policy on Closing an Institution* provides further guidance for closing institutions. While federal regulations outline the specific circumstances which require a teach-out plan and teach-out agreement, the Commission also maintains the right to require a teach-out agreement as part of an institution's teach-out plan.¹

Definitions²

Teach-out: A process during which a program, institution, or institutional location that provides 100 percent of at least one program engages in an orderly closure or when, following the closure of an institution or campus, another institution provides an opportunity for the students of the closed school to complete their program, regardless of their academic progress at the time of closure.

Teach-out plan: A written plan developed by an institution that provides for the equitable treatment of students if an institution, or an institutional location that provides 100 percent of at least one program, ceases to operate or plans to cease operations before all enrolled students have completed their program of study.

Teach-out agreement: A written agreement between institutions that provides for the equitable treatment of students and a reasonable opportunity for students to complete their program of study if an institution, or an institutional location that provides 100 percent of at least one program offered, ceases to operate or plans to cease operations before all enrolled students have completed their program of study.

Policy³

Federal regulations require that institutions submit a teach-out plan, and if practicable, teach-out agreements as noted below, from accredited institutions and those with Candidacy status (preaccreditation) upon the occurrence of any of the following events:

A. If the Department of Education notifies the Commission:

- (1) of a determination of a nonprofit or proprietary institution's independent auditor expressing doubt about the institution's ability to operate as a going concern or indicating

¹ 34 CFR § 602.24 (c)(5)

² 34 CFR § 600.2

³ 34 CFR § 602.24 (c)

an adverse opinion or a finding of material weakness related to financial stability, then the Commission will require a teach-out plan;

- (2) that the institution is participating in Title IV programs under a provisional program participation agreement and the Secretary has required a teach-out plan as a condition of participation, the Commission will then require a teach-out plan;
 - (3) that it has placed the institution on the reimbursement payment method or the heightened cash monitoring payment method requiring the Department of Education's review of the institution's supporting documentation, the Commission will then require a teach-out plan **and** teach-out agreement;
 - (4) that the Department of Education has initiated an emergency action against an institution, or an action to limit, suspend, or terminate an institution participating in any Title IV program, then the Commission will require a teach-out plan **and** teach-out agreement.
- B. If a State licensing or authorizing agency notifies ACCJC that an institution's license or legal authorization to provide an educational program has been or will be revoked, the Commission will then require a teach-out plan **and** teach-out agreement.
- C. If the Commission acts to:
- (1) place the institution on probation, then the Commission will require a teach-out plan;
 - (2) place the institution on show cause, then the Commission will require a teach-out plan **and** teach-out agreement;
 - (3) to withdraw or suspend the accreditation or Candidacy status (preaccreditation) of the institution, the Commission will then require a teach-out plan **and** teach-out agreement.
- D. If the institution notifies ACCJC that:
- (1) it intends to cease operations entirely, then the Commission will require a teach-out plan **and** teach-out agreement;
 - (2) it intends to close a location that provides one hundred percent of at least one program, including if the location is being moved and is considered by the Department of Education to be a closed school, the Commission will then require a teach-out plan **and** teach-out agreement.
- E. Federal regulations also require that institutions with Candidacy status (preaccreditation) have a teach-out plan.⁴ Institutions applying for candidacy must submit the teach-out plan to ACCJC at the time of their Candidacy (preaccreditation) review.

Commission Review of Teach-Out Plans

The institution must submit its teach-out plan prior to implementation to the ACCJC. The Commission may designate ACCJC senior staff to review and approve teach-out plans, and will report on them during the next Commission meeting.

- A. The Commission will evaluate teach-out plans by ensuring:

⁴ 34 CFR § 602.23 (f)(1)(ii)

- (1) consistency with applicable standards and regulations,
- (2) it provides for the equitable treatment of students,
- (3) it includes a list of currently enrolled students,
- (4) it includes a list of academic programs offered by the institution, and
- (5) it includes the names of other institutions that offer similar programs and that could potentially enter into a teach-out agreement with the institution.

B. If ACCJC approves a teach-out plan that includes a program or institution that is accredited by another recognized accrediting agency, it must notify that accrediting agency of its approval.

Commission Review of Teach-Out Agreements

ACCJC may require an institution it accredits or those with Candidacy status (preaccreditation) to enter into a teach-out agreement as part of its teach-out plan in accordance with this policy and federal regulations.⁵ The institution must submit its teach-out agreement prior to implementation to the ACCJC for Commission review and approval.

The Commission may approve the teach-out agreement only upon these conditions:

1. The agreement provides a reasonable opportunity for students to complete their program of study if an institution, or an institutional location that provides 100 percent of at least one program offered, closes or plans to close, before all enrolled students have completed their program of study;
2. The agreement is consistent with applicable standards and regulations; and
3. The agreement provides for the equitable treatment of students being served by ensuring that the teach-out institution—
 - i. has the necessary experience, resources, and support services to provide an educational program that is of acceptable quality and reasonably similar in content, delivery modality, and scheduling to that provided by the institution or location closing; however, while an option by an alternate method of delivery may be made available to students, such an option is not sufficient unless an option by the same method of delivery as the original educational program is also provided;
 - ii. has the capacity to carry out its mission and meet all obligations to existing students;
 - iii. demonstrates that it can provide students access to the program and services without requiring them to move or travel for substantial distances or durations; and
 - iv. demonstrates that it will provide students with information about additional charges, if any.
4. The Commission will not permit an institution to serve as a teach-out institution under the following conditions:

⁵ 34 CFR § 602.24 (c)(5)

- i. A determination of a nonprofit or proprietary institution's independent auditor expressing doubt about the institution's ability to operate as a going concern or indicating an adverse opinion or a finding of material weakness related to financial stability;
 - ii. The institution is under investigation, subject to an action, or being prosecuted for an issue related to academic quality, misrepresentation, fraud, or other severe matters by a law enforcement agency;
 - iii. The Commission acted to place the institution on probation or show cause.
5. The Commission is permitted to waive requirements regarding the percentage of credits that must be earned by a student at the institution awarding the educational credential if the student is completing his or her program through a written teach-out agreement or transfer.
6. The Commission must require the institution to provide copies of all notifications from the institution related to the institution's closure or to teach-out options to ensure the information accurately represents students' ability to transfer credits and may require corrections.
7. Teach-out agreements for closing institutions must include the following additional elements:
 - i. a complete list of students currently enrolled in each program at the institution and the program requirements each student has completed;
 - ii. a plan to provide all potentially eligible students with information about how to obtain a closed school discharge and, if applicable, information on State refund policies;
 - iii. a record retention plan to be provided to all enrolled students that delineates the final disposition of teach-out records (e.g., student transcripts, billing, financial aid records);
 - iv. information on the number and types of credits the teach-out institution is willing to accept prior to the student's enrollment; and
 - v. a clear statement to students of the tuition and fees of the educational program and the number and types of credits that will be accepted by the teach-out institution.

If an institution closes without a teach-out plan or agreement, ACCJC will work with the Department of Education and the appropriate State agency, to the extent feasible, to assist students in finding reasonable opportunities to complete their education without additional charges.

Adopted June 2021

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Policy on Transfer of Credit

January 2022

Background

Students experience transfer of credit as an issue critical to the successful completion of their educational goals. The majority of students attending two-year and community colleges typically attend more than one institution before completing their degree or certificate program. In addition, a large proportion of students seeking degrees or certificates will desire to pursue higher education at some time in the future.

Many factors contribute to student attendance at multiple institutions of higher learning;

- Economic, geographic and employment mobility;
- Desire to transfer distance learning credits to site-based institutions;
- Desire to transfer credit for experiences gained from employer training programs;
- Desire to transfer credits from foreign institutions.

These situations necessitate clear institutional policies on how academic credit is awarded and on how students can transfer academic credit.

ACCJC is committed to:

- Encouraging institutions to be flexible and open in considering alternative approaches to facilitating transfer of credit to benefit students;
- Enhancing educational opportunity by facilitating student mobility;
- Helping institutions to develop effective transfer of credit practices;
- Assuring that institutional transfer of credit practices are consistent with accreditation standards and policies;
- Maintaining effective communication between the Commission and member institutions in order to facilitate institutional adherence to standards and policies and support improvement of transfer of credit between institutions.

Policy

Accredited institutions have a responsibility to provide for effective transfer of credit that minimizes student difficulties in moving between institutions while assuring the high quality of their education. Each institution is responsible for determining its own policies and practices with regard to the transfer and award of credit, including transfer of credits from non-accredited institutions. Institutions shall establish policies on the transfer of credit that are clearly stated and that function in a manner that is fair and equitable to students. At the same time, institutions shall be responsible for careful evaluation of credits that students wish to transfer. Institutions must balance responsiveness to students' preferences about transfer of credit and institutional commitment to the value and quality of degrees, certificates, or other credentials that the receiving institution awards.

Policy Elements¹

Institutions considering transfer of credit from another institution must evaluate and ensure that:

- There is a balanced approach to decisions about whether to accept transfer of credit. Clearly stated policies and procedures for consideration of transfer of credit must be developed, followed, and maintained. Sound mechanisms for ongoing review and updating of policies and procedures must be established. The policy must include a statement of criteria established by the institution regarding the transfer of credit earned at another institution of higher education;
- The educational quality of the sending institution is the primary consideration. Receiving institutions must ensure that decisions are based on a fair assessment of the institution's educational quality and may include the institutional, specialized and national accredited status of an institution, along with other factors as appropriate;
- Institutions should be flexible and open in considering alternative or innovative forms of educational delivery that may characterize the institution where the student received the credits proposed for transfer; institutions may seek guidance in the Commission's *Policy on Credit for Prior Learning*;
- There is assurance that the institution from which a student desires to transfer credit is an institution accredited by a U.S. Department of Education recognized accrediting body or that the institution, if in another country, is approved by the legitimate accreditation or quality assurance agencies that operate in that country;
- There is assurance that transcripts and other credentials provided for purposes of transfer of credit are legitimate and, if validated by a third party foreign credential services, that the credential service agency is valid ²;
- The nature, content, associated student learning outcomes, and level of credit(s) earned at the sending institution are comparable to those of the credit(s) offered at the receiving institution;
- The credit(s) earned for the programs offered by the sending institution, in light of the student's educational goals, are appropriate and applicable to the credits the student seeks to transfer to the receiving institution's program;
- The receiving institution acts consistently and fairly in its review of the courses that students propose to transfer for credit. Students must be treated equitably as they seek to transfer credit, and institutions must consider all requests to transfer credit carefully before making decisions; and,
- College publications used to inform or recruit students provide accurate and timely information about transfer of credit policies and procedures to students, the public, and sending institutions. The information should include clearly defined procedures, deadlines, and documents needed from sending institutions when attempting transfer of credit, as well as essential academic factors that are involved in transfer of credit decisions (such as existing course equivalencies, content and/or student learning outcomes, grades, course level and applicability toward a degree, certificate, or program prerequisite). These policies must be publically disclosed.

¹ § 602.16(a)(1)(viii); § 602.17(a)(3); § 602.24(e); § 668.43(a)(11)

Effective public communication is maintained through an ongoing exchange with students and the public about transfer of credit opportunities and limitations through catalogues, counseling and advising, and websites. Ongoing contact and information exchange among institutions that routinely send and receive transfer students must be sustained. Information to students and the public about special circumstances that may affect the ease or difficulty of transfer of credit shall be provided.

Where software or a website is used to offer customized transfer of credit information or information on articulation agreements to students, it is accurate and current. Where provision is made for electronic transfer of credit, application for transcript analysis, or other key functions, it is confidential, secure, accurate and current.

Adopted January 2005; Revised January 2010; Edited January 2022

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**Bylaws of the Accrediting Commission for Community and Junior Colleges,
Western Association of Schools and Colleges**

February 2022

**ARTICLE I
PURPOSE**

Section 1. Name

The name of this nonprofit corporation shall be the Accrediting Commission for Community and Junior Colleges, Western Association of Schools and Colleges. This corporation shall be referred to throughout these Bylaws as ACCJC.

Section 2. Purpose

ACCJC is a private nonprofit, public benefit corporation and is not organized for the private gain of any person. It is organized under the Nonprofit Public Benefit Corporations Law of the State of California for public and charitable purposes. It is operated within the meaning of Section 501(c)(3) of the United States Internal Revenue Code. Those public purposes include improving and validating the quality of post-secondary education at public and private educational institutions. ACCJC's scope of jurisdiction is primarily Associate degree-granting institutions that identify as community colleges, career and technical colleges, and junior colleges. It achieves its outcomes through the creation and application of standards of accreditation and related policies and through a peer-based process of review by higher education professionals and public members. ACCJC's evaluation of institutions assures the educational community, the general public, and other organizations and agencies that an institution has clearly defined objectives appropriate to higher education; has established conditions under which their achievement can reasonably be expected; appears in fact to be accomplishing them; is so organized, staffed, and supported that it can be expected to continue to do so; and demonstrates that it meets ACCJC's Eligibility Requirements, Accreditation Standards and Commission policies (hereinafter: Standards). ACCJC encourages and supports institutional development and improvement through an institutional self-evaluation using the Standards as the evaluative framework. ACCJC also requires Midterm, Follow-Up and other Special Reports, Annual Reports, and periodic evaluation of institutional quality by qualified peer professionals as a means to ensure continued compliance and improvement.

Section 3. Principal Office

The principal office of ACCJC is currently located at 331 J Street, Suite 200, Sacramento, CA 95814, or at such other location as the ACCJC shall decide. ACCJC may establish branch or subordinate offices and may change the principal office location to another from time to time.

**ARTICLE II
ACCREDITED INSTITUTIONAL MEMBERSHIP**

Section 1. Member Institutions

The application for institutional membership is made by an institution through its chief executive officer and governing board when it applies for candidacy or initial accreditation. The members of ACCJC shall

consist of the institutions that have achieved Candidacy or Initial Accreditation; membership is concurrent with this status. Membership shall thereafter continue for as long as the institution remains accredited, complies with the Standards, and remains current on payment of any dues, fees, or special assessment obligations. Candidate (pre-accredited) status represents a formal association with ACCJC and the institution may so identify itself to the public. In the event an institution loses its accreditation for any reason, its membership status shall cease immediately. An institution may voluntarily withdraw its membership, in which case its accredited status with ACCJC shall cease upon receipt in the principal office of a written notification by the chief executive officer of the institution.

Section 2. Scope

ACCJC accredits institutions in the United States, its territories and affiliates, with a primary mission of granting associate degrees; institutions accredited by ACCJC may also award certificates and other credentials, including bachelor's degrees, if those credentials are within the institution's mission and authorized by their governmental authorities. ACCJC may also accredit non-domestic institutions, which have as a primary mission, the granting of associate degrees.

ARTICLE III THE COMMISSION

Section 1. Membership

The Commission consists of nineteen members, all of whom are elected by the member institutions, as described in Article IV. As referenced in Article VI and elsewhere in these Bylaws, the Commission comprises the Board of Directors of ACCJC.

The composition of the membership is determined by the areas of expertise and experience that a Commissioner brings. While Commissioners bring perspectives from various geographical regions and related organizations, they do not represent constituent categories as may be aligned with a job title or role at an institution.

At a minimum, Commission composition will be comprised of the following:

Category 1 Commissioners

- a. At least five (5) Commissioners shall bring faculty experience and may be a current faculty member, academic administrator, librarian, or other academic reflecting the diversity of the region and/or institutional membership. At least three (3) of the five shall be current faculty members at the time of their election to the Commission.
- b. At least three (3) Commissioners shall be representatives of the public¹, the precise number of whom shall at all times represent at least one seventh of the total membership of the Commission,

¹ A representative of the public is someone who is not: an employee, member of the governing board, owner, shareholder, or consultant to an institution that has applied for or is in candidacy or is accredited by the ACCJC; a member of any trade association or membership organization related to, affiliated with, or associated with the ACCJC; or a spouse, parent, child, or sibling of such individuals. This definition is intended to comply with Federal Title 34, Section 602.3.

- c. At least three (3) Commissioners shall bring administrative experience and shall be current chief executive officers in a two-year college or district at the time of their election to the Commission.
- d. At least one (1) Commissioner shall have expertise in higher education finance.
- e. At least one (1) Commissioner shall have expertise as a chief instructional officer.
- f. At least one (1) Commissioner shall be from an independent (not state-sponsored) institution.

Category 2 Commissioners

- a. At least one (1) Commissioner shall be from a secondary educational institution accredited by the Accrediting Commission for Schools (ACS), Western Association of Schools and Colleges and nominated by that Commission.
- b. At least one (1) Commissioner shall be from a four-year college or university accredited by the WASC Senior College and University Commission (WSCUC) and nominated by that Commission.
- c. At least one (1) Commissioner shall be from an ACCJC accredited institution in the Pacific Islands and nominated by the Pacific Postsecondary Education Council (PPEC).
- d. One (1) Commissioner shall be nominated by the California Community Colleges Chancellor's Office.
- e. One (1) Commissioner shall be nominated by the system office of the University of Hawai'i Community Colleges.

In no event shall any Commissioner be staff of ACS or WSCUC. Commissioners who are chosen in Category 1 (with the exception of Public Members) are expected to hold compensated, emeritus, or recently retired status from an institution accredited by ACCJC. Should any such institution lose its accredited status, persons from such an institution may continue to serve until the end of the Commission's membership year in which that occurs. Should an individual change category during their term, they may continue to serve until the end of their term. In order to obtain qualified candidates with expertise identified in Category 1, currently serving Commissioners and staff may solicit the interests of potential candidates. The nomination and election of Commissioners in this category is specified in Article IV of these bylaws.

Commissioners nominated by the related entities in Category 2 may not be from an institution with a serving Commissioner.

Section 2. Vacancies During a Term

If the position of a Commissioner becomes vacant, whether through resignation, separation from his/her institutional affiliation, or death, the Nominating Committee shall be promptly notified. The Nominating Committee shall recommend to the Commission either a replacement to serve out the remainder of the term of the position vacated or have the position filled at the next regularly scheduled election as described in this Article IV. In recommending a person to fill a vacancy, the Nominating Committee should consider, but not be limited by, the list of those persons previously proposed as potential candidates for the appropriate sub-category of the position that has been vacated.

Section 3. Removal of a Commission Member

Commissioners may be removed by a two-thirds vote of the Commission then in office for failure to exercise their responsibilities in accordance with the Commission Policy on Professional and Ethical Responsibilities of Commission Members or for conduct that is detrimental to the purposes of the Commission. Where a Commissioner is removed, the seat shall remain vacant until filled at the next election in keeping with Article IV, Section 6.

Section 4. Resignation

A Commissioner may resign at any time and such resignation shall become effective on the date the Commissioner provides written notice to the Chair or President of ACCJC. Vacancies created by a resignation prior to the expiration of a Commissioner's term of service may remain vacant or may be filled prior to the election cycle, as determined by the affirmative vote of a majority of the Commission. An election to fill the vacant position will be in keeping with Article IV, Section 6.

ARTICLE IV COMMISSIONER ELECTION PROCESS

Section 1. Nominations for Open Positions

Except as otherwise provided in Article III, Sections 1 and 2, Commission vacancies will be filled through the Commissioner Election Process described below. Anticipated vacancies will be announced by staff at the January meeting for Commissioner terms due to expire the following June 30. Notice of Commissioner vacancies will be posted on the ACCJC website and sent to the chief executive officers, accreditation liaison officers, and other interested parties². The notice will include the positions open for election and the deadline for receipt of applications. Institutional and organizational representatives may submit nominations. Individuals may also submit applications on their own behalf. Applications are considered to be in effect for one year.

Whether nominated by another person, or self-nominated, individuals that wish to be considered will complete application materials required by the Commission. All applicants and nominees, except those currently sitting Commissioners seeking re-election, will be asked to submit the following:

- a. A letter of application stating the basis for interest in service on the Commission.
- b. A completed ACCJC data/biographical form.
- c. A resume and two letters of recommendation.

Section 2. Terms of Service

Commissioners are elected for three-year terms and are limited to two three-year terms unless the person is elected as an officer (as defined in Article VIII, Section 1) for a term which extends beyond a sixth year, in which case a term of the length necessary to complete the two-year term of service as an officer may be served. For purposes of continuity of leadership, an individual who has just completed two years of service as Chair may continue as a Commissioner for one additional year in the role of Immediate Past Chair and shall serve on the Executive Committee of the Commission. Regular appointments are effective on July 1 of the first year and end on June 30 of the last year of a Commissioner's term.

² The ACCJC Office will maintain a list of interested parties.

Section 3. Nominating Committee

There shall be a Nominating Committee, the purpose of which shall be to nominate persons for election to the Commission from among the applications received. The Nominating Committee shall consist of eight (8) persons, and members shall normally serve for two consecutive years. The Chair, in consultation with the President, shall appoint four Commissioners and four individuals from member institutions to the Nominating Committee and select the committee chair. When feasible, appointments should result in staggered terms of service in order to achieve continuity in the process. The Chair and Vice Chair of the Commission may not serve on the Nominating Committee. The Nominating Committee will be chosen to represent the broad interests of the Commission's member institutions. The names of individuals appointed to the Nominating Committee shall be promptly reported to the member institutions by the Commission.

Section 4. Solicitation of Commission Applicants

The Commission shall notify the members of the Nominating Committee of the number and types of Commissioners to be selected and of any special considerations pertaining to such vacancies.

Category 1. As prescribed in Section 1, notice shall be given to the region. Nominations will be submitted to ACCJC and forwarded to the Nominating Committee.

Category 2. The President shall notify the nominating body to request a nomination to fill the vacancy at the upcoming election. The notification will list the number and nature of any positions to be filled and solicit nominees for the projected vacancies. To be considered, the nominations must be submitted by the date and time established by the Commission. Members of the Nominating Committee are ineligible for nomination to the Commission while serving on the Nominating Committee.

The Nominating Committee shall review the nominees' qualifications and shall prepare a slate of candidates, with one candidate being recommended for each available position. In reviewing applications and preparing the slate, the Nominating Committee shall consider the need to meet the membership requirements of the Commission as outlined in Article III of the Bylaws, as well as the following considerations:

- Diversity in institutional characteristics, such as mission, size, geography, and location.
- Diversity in personal characteristics, such as ethnicity and gender, and in specialized professional experience.

The Committee may not nominate applicants from institutions that already have a sitting Commissioner and will not nominate two applicants from the same institution. When the Nominating Committee has concluded its work of preparing a slate of candidates, notification regarding this slate will be sent to the chief executive officers of the member institutions for their review. It must be clear that this slate is not the formal ballot.

Section 5. Nominations At Large

The notice to the chief executive officers informing them of the slate of the Nominating Committee shall also include a notice of the right of the chief executive officers to nominate candidates on an at-large basis for the vacant positions on the Commission within the time frame established by the Commission. To be added as an at-large candidate, a candidate must receive the written endorsement of ten (10) or more chief executive officers. If one or more at-large nominations are submitted with the requisite

number of CEO endorsements, the Nominating Committee will determine whether placing an applicant on the ballot as part of the slate of candidates will be congruent with other requirements of these Bylaws, including whether the election of at-large candidates will unduly affect the total number of Commissioners and the required balance among various categories of membership. Based on these considerations, the Committee will determine which, if any of the at-large applicants will be placed on the ballot. An at-large applicant may not be placed on the ballot if a sitting Commissioner is from the same institution or if the nominating committee has recommended an applicant from the same institution for a different position on the Commission. The Nominating Committee will also be mindful of the desired diversity in institutional and personal characteristics of Commissioners in vetting any at-large candidates. If an at-large applicant is successful in receiving the requisite signatures and is determined by the Nominating Committee to be otherwise qualified to be a candidate, the Nominating Committee will place the at-large candidate on the ballot, along with the candidate's biographical information.

Section 6. Election

The ACCJC shall send a ballot to the chief executive officer of each member institution that shall include the slate from the Nominating Committee, which includes the current Commissioners seeking reelection, and any at-large candidates. Each chief executive officer shall be asked to vote for or against the entire slate or for any at-large candidates nominated by the process described in Section 5 in lieu of those individuals on the Nominating Committee's slate. To be considered, ballots must be submitted to ACCJC within the time frame established by the Commission as specified with the ballot materials. Ballots must be submitted to ACCJC in accordance with the instructions provided. Ballots received after the cutoff date and time will not be counted. Ballots shall be handled by the ACCJC executive staff in a manner to preserve, insofar as practicable, the privacy of persons voting and the institutions they represent. Measures shall be taken by the executive staff to ensure the validity of all ballots. The executive staff shall be responsible for the preservation of ballots and tally sheets, which shall be preserved for a period of one hundred eighty (180) days after the election is announced, absent a challenge to an election, in which case the ballots shall be preserved until the challenge is resolved. A challenge to the election results can be brought by any chief executive officer of a member institution. Any challenge to the election results must be received by the Chair of the Commission within fourteen days after the announcement of the election results. The Chair shall refer the challenge to the Nominating Committee, which shall have the authority to take whatever steps it considers appropriate to make a final decision on the matter.

Section 7. Counting the Ballots

The counting of the ballots shall be conducted by the executive staff and certified by the Nominating Committee Chair. The results of the election shall be announced as soon as practicable thereafter. Every effort shall be made to complete the election process by mid-May.

ARTICLE V COMMISSION MEETINGS

Section 1. The Time and Place

The Commission shall meet in regular session twice each year to consider the accredited status of institutions evaluated since the previous meeting and to address such policy and organizational business as shall come before it. Written notice of the time and place of meetings and a preliminary agenda shall

be sent to the chief executive officer of each member institution and posted on the ACCJC website, normally 45 days prior to the date of each meeting. At its discretion, the Commission may schedule such additional meetings as it deems necessary.

Section 2. The Agendas

The Commission conducts its responsibilities through two different bodies: the Board of Directors (as delineated in Article VI, below) and the ACCJC Commission, though both bodies are comprised of the same persons, thus often (and hereinafter) referred to as “the Commission”. The Board of Directors oversees the operations of the corporation, while the Commission makes decisions about the accredited status of member institutions.

Consideration of the accredited status of institutions and other confidential matters concerning member institutions will take place in closed session, with only Commissioners and staff participating. The Commission may invite representatives of the institution and the visiting team chair to participate in closed session discussion when the institution’s case is being considered and invited to leave when Commission’s action is being discussed.

All institutional policy adoptions or revisions being considered for Commission approval as first or second readings, and all language revising Accreditation Standards, shall be considered in open session of the Commission prior to the Board of Directors taking action on the matter. In addition, following a first reading, proposed revisions to policies and Accreditation Standards shall be posted on the ACCJC website with an invitation for members to send comments to the ACCJC office, which will be brought forward for consideration by the Commission when taking final action. Attendees at open sessions are provided the opportunity to address the Commission in accordance with the Commission Policy on Access to Commission Meetings.

Section 3. Minutes

The Commission shall maintain minutes of all of its meetings, including for its standing and ad hoc committees. Minutes of the board convened in executive sessions will be taken by the Secretary-Treasurer of the Commission and retained in a confidential location. The Commission Chair, in consultation with the President, shall designate those subjects that are to be discussed in executive, closed, and open sessions.

Section 4. Operational Policies

From time to time, the Commission may adopt, amend, or repeal policies that deal with the internal operation of the ACCJC and its staff. Action on such policies may take place at any Commission meeting, in closed session, and do not require two readings. Operational policies in this Section refer to practices and protocols internal to the operation of the agency and do not impact member institutions or their review process.

ARTICLE VI THE BOARD OF DIRECTORS

Section 1. Composition of the Board of Directors

The Board of Directors shall at all times consist of those individuals elected to the Commission pursuant to Article III.

Section 2. Authority and Responsibility of the Board of Directors

The direction and management of the affairs of ACCJC and the control and disposition of its properties and funds shall be vested in the Board. All powers, duties and functions of ACCJC, conferred by the Articles of Incorporation, these Bylaws, state statutes, common law and otherwise, shall be exercised, performed, or controlled by the Board. The Board shall determine ACCJC's policies or changes therein and supervise the management of funds. The Board of Directors also hires and participates in evaluating the President of ACCJC.

The Board may adopt, by majority vote, such rules and regulations for the conduct of its business and the business of ACCJC as shall be deemed advisable, and may in the execution of its duties, delegate its authority to an executive committee. Under no circumstances, however, shall any actions be taken by the Executive Committee which are inconsistent with the Articles of Incorporation and these Bylaws, and the fundamental and basic purposes of ACCJC, as expressed in the Articles of Incorporation and these Bylaws.

Section 3. Vacancies, Resignations, and Removals

A board position will become vacant when the director filling such position ceases to be a Commissioner, regardless of the reason. Procedures and processes relating to resignation, removal, or other reasons which will cause a position to become vacant on the Commission and on the Board, are defined under Article III, Sections 3 and 4.

Section 4. Quorum

The majority of the Board (not counting any board positions that are vacant) shall constitute a quorum for the transaction of business, except in no instance may a quorum be less than one-fifth of the currently serving number of directors. Every action taken by a majority of the directors present at a meeting held at which a quorum is present shall be regarded as the act of the Board, subject to the provisions of the Nonprofit Corporation's Law (California Corporations Code, § 5000 et. seq.). A meeting at which a quorum is initially present may continue to transact business, notwithstanding the withdrawal of any director, if any action thereafter taken is approved by at least a majority of the quorum required for the meeting. A majority of the directors present, regardless of whether a quorum is present, may vote to adjourn a meeting. This section also applies to meetings of the Commission under Article V.

Section 5. Minutes

The Board shall maintain minutes of all of its meetings and proceedings including for its standing and ad hoc committees. Minutes of the board convened in executive sessions will be taken by the Secretary-Treasurer of the Commission and retained in a confidential location. The meetings of the Board may take place concurrently with meetings of the Commission or separately, at the discretion of the Board, but the minutes of Board meetings shall be maintained separately.

Section 6. Agenda

The Board Chair, in consultation with the President, shall decide the Board's agenda. The Board's business shall include all matters which require Board action or review. The responsibilities of the Board include the review and acceptance of ACCJC's annual audit, review and approval of ACCJC's annual budget, review and approval of any internal operational policies, review of ACCJC's investments and reserves, receipt of reports from the Executive and other committees concerning matters that do not involve Accreditation Matters, review of ACCJC's relationship with vendors, including its banking relations, review and approval of any leases for space or other significant contracts, approval of any loans or lines of credit, personnel issues that require board review, periodic evaluation of its President, review of ACCJC's insurance policies, and such other matters involving the policy or direction of ACCJC that are referred to it. Board meetings will be conducted in Executive Session. Matters regarding the President that fall within the responsibilities of the Board will be considered in a closed Executive Board Session, with only Directors and other participants deemed necessary by the Board Chair in consultation with the full Board participating (subject to the powers reserved to the Directors).

ARTICLE VII OFFICERS

Section 1. Officers

ACCJC shall maintain the following elected officers: A Chair, a Vice Chair, and a Secretary/ Treasurer who shall, together with the Immediate Past Chair, comprise the Executive Committee. These positions shall be held by different members of the Board. Members are eligible for election to these offices following two years of membership. The regular two-year term of an elected officer will begin on July 1 and will end on June 30. Additionally, ACCJC will retain a President who shall serve as the Chief Executive Officer. The President shall serve at the pleasure of the Board. The President shall be an ex officio, non-voting member of the Executive Committee.

Section 2. Selection of Officers

The position of Chair is filled by the succession of the Vice Chair. The Vice Chair is elected by the Board and succeeds to the office of Chair when the Chair's term of service is concluded. The Vice Chair then serves a two-year term as Chair. No member of the Board may serve as its Chair for longer than three consecutive years. Should a Chair, for any reason, not complete a full term of service, the Vice Chair may succeed to no more than twelve months of an unexpired term, followed by his or her two-year term. When a vacancy occurs in the Vice Chair position, an election to fill that office must be initiated within 45 days of the position becoming vacant.

Nominations for Vice Chair and Secretary/Treasurer are normally solicited from the Directors in advance of the January session and confirmed by a vote of the members at the January session prior to the end of the Chair's term. Prior to the scheduled vote, each nominee must submit a statement of no more than 500 words explaining why he or she is seeking the office. The statement is distributed to the full Board prior to the vote. Voting is conducted through a secret ballot submitted to the ACCJC executive staff. Ballots shall be counted by the executive staff and, when feasible, one member of the Commission. The results are to be announced to the entire Board at the January Commission meeting.

The Secretary/Treasurer shall be elected by the Board and shall serve for a two-year term. The Secretary/Treasurer can serve for multiple terms. As with the Chair and Vice Chair, if the two-year term

of the Secretary/Treasurer extends beyond the expiration of a normal term of service as a Commissioner, the Secretary/Treasurer may complete the elected term as an officer. The Secretary/Treasurer shall be a member of the Board who possesses the appropriate budget, finance, and/or audit knowledge, skills, and ability to oversee financial matters.

Officers are expected to serve in several capacities. The Chair serves as a voting member of the Budget Committee and the Policy Committee, and serves as Chair of the Executive Committee. The Vice Chair serves as a voting member of the Executive Committee, and the Committee on Substantive Change, and may serve as the Substantive Change Committee's chair. The Secretary/Treasurer serves as the chair of the Budget Committee, is a member of the Audit Committee, and serves as a voting member of the Executive Committee.

Section 3. Subordinate Officers

The Board may appoint, and may empower to appoint, such other officers as the business of the corporation may require, each of whom shall hold office for such period, have such authority, and perform such duties as are provided in these Bylaws or as the Board may from time to time determine.

Section 4. Removal and Resignation of Officers

An officer may resign at any time by giving written notice to the Chair. An officer may be removed, either with or without cause, by the Board.

Section 5. Vacancies in Office

A vacancy in any office because of death, resignation, removal, disqualification or any other cause shall be filled in the manner prescribed in these Bylaws.

Section 6. President

The President shall be the Chief Executive Officer of ACCJC, and the general supervision, direction, and control of the operations of ACCJC, including its business, personnel matters within the approved budget, and accreditation operations, shall reside with the President. The President shall be appointed by the Board and shall serve at the pleasure of the Board, subject to the rights, if any, under any contract of employment.

Section 7. Chair

The Chair of the Board shall preside at all meetings of the Board and of the Commission. The Chair of the Board shall also serve concurrently as Chair of the Commission. The Chair shall exercise and perform such other powers and duties as may be from time to time assigned to him or her by the Board or as may be prescribed by these Bylaws. In the absence or incapacitation of the President, the Chair may perform the duties of the President. In that circumstance, the Vice Chair shall perform the duties of Chair.

Section 8. Vice Chair

In the absence or incapacitation of the Chair, the Vice Chair shall perform the duties of the Chair, and, when so acting, shall have all the powers of the Chair. The Vice Chair shall have such other powers and perform such other duties as from time to time may be prescribed by the Chair or by these Bylaws.

Section 9. Secretary/Treasurer

The Secretary/Treasurer shall keep or cause to be kept, at the principal executive office or such other place as the President may direct, a record of the minutes of all meetings and actions of Board with the time and place of holding, whether regular or special, (if special, how authorized), the names of those present at such meetings, and actions taken.

The Secretary/Treasurer shall give, or cause to be given, notice of all meetings of the Commission and shall have such other powers and perform such other duties as may be prescribed by the Board or these Bylaws.

The Secretary/Treasurer shall examine the budget, schedule of dues/fees, financial condition of ACCJC, and shall regularly review operational revenue and expenditures. The Secretary/Treasurer shall work with the Budget Committee and Audit Committee to review and recommend all financial related matters to the Board.

ARTICLE VIII COMMITTEES

The Executive Committee shall be comprised of the Chair, the Vice Chair, the Secretary/Treasurer, and the Immediate Past Chair. The Executive Committee shall oversee the evaluation of, and recommend compensation for, the President, and shall serve as advisors to the President between the Board meetings.

The Board shall be served by such standing and ad hoc committees as they create. Ad hoc committees may be created at the discretion of the Chair; their creation, functions, and authority must be ratified by a majority vote of the Board at the first Board meeting following the creation of the ad hoc committee.

Standing committees shall be authorized by a simple majority of the Board and may be dissolved by the same margin of the Board. The Board may charge a standing committee with authority to act on its behalf, to the extent permitted by federal law.

Members and chairs of all committees are appointed by the Chair in consultation with the President, and in accordance with these Bylaws. They serve one-year terms, beginning on July 1 of each year, and may be reappointed.

Standing committee membership must primarily be Commissioners and must include both academic representatives and administrative representatives and at least one seventh of the committee membership must be public members. The committee chair may request that qualified persons other than Commissioners be appointed to serve on standing or ad hoc committees as non-voting members to provide additional resources and expertise. Efforts should be made to distribute standing committee membership broadly among the Board members. Current standing committees of the Commission are the Audit Committee, the Budget Committee, the Substantive Change Committee, the Policy Committee, the Educational Programming Committee, Eligibility Committee, the Nominating Committee, and the Evaluation and Planning Committee. The Commission has charged the Substantive Change Committee with authority to act on its behalf on substantive change requests. The Commissioner Nominating Committee is constituted at regular intervals, and as needed, as described in

Article IV, above, and serves for the duration of its assigned tasks. Committees need a quorum to conduct business. A quorum consists of a majority of Commissioner members.

ARTICLE IX BOARD PROCEDURES

Section 1. Executive Committee Actions

The Executive Committee is authorized to act for the Board between meetings on any and all matters that would appropriately come before the Board and where action prior to the next Board meeting is necessary. All actions taken by the Executive Committee shall be reported to the Board at its next meeting, or earlier as appropriate. The Executive Committee will oversee and discuss recommendations to the Board regarding the evaluation and compensation of the President in a closed Executive Board Session, with only Directors and other participants deemed necessary by the Board Chair in consultation with the full Board participating (subject to the powers reserved to the Directors).

Section 2. Alternate Means of Taking Action

At the call of the Chair, actions on institutions or institutional policy required or permitted to be taken at a meeting of the Board may be taken without a meeting. Such call for action shall include the reasons and shall describe the means by which the action will be taken, whether in writing, electronically, or other means. The action must include a statement of consent by voting Board members for the action to be taken without a meeting. The action taken without a meeting must pass by a two-thirds vote of the Board then in office. The substance of the Board's actions must be filed with the minutes of the proceedings of the Board.

Section 3. Amendments to Bylaws

These Bylaws may be amended by telephone, mail, or electronic ballot processes by a simple majority vote of the Board after the proposed amendments have been circulated among the Board members for at least two weeks before the vote is taken. If the vote is taken without the amendments being circulated among the Board members for the full two-week period, then all Board members must individually consent, in writing or by email, to that action for it to take effect.

Section 4. Other Action without a Meeting

The Chair, with the approval of the Executive Committee, may call for any other action that is required or permitted to be taken by the Board, to be taken without a meeting of the Board. In such cases, the Chair will specify the alternative means by which the will of the Board may be ascertained, such as by email or conference call. Such action shall have the same force and effect as a vote of the Board at a meeting. The outcome of such a vote shall be filed with the minutes of the proceedings of the Board.

ARTICLE X LEGAL EXPENSES REIMBURSEMENT

In the event, and in instances when ACCJC is not a party to litigation, that ACCJC receives criminal or civil inquiries, including subpoenas, deposition notices or other discovery requests related to institutions which are applicants to ACCJC, accredited or granted candidacy for accreditation by ACCJC, or which have been previously accredited by ACCJC, then the institution that is related to the request will be responsible for reimbursing ACCJC for all costs associated with responding to the subpoena, deposition

notice or other discovery request, including the reasonable cost of legal counsel, staff time, and associated costs such as travel and making copies. In addition, the institution will be responsible for the legal fees and related expenses associated with legal review of proposed memoranda of understanding, contractual agreements with other institutions or other issues arising from the accreditation process, including substantive change.

ARTICLE XI STANDING RULES

Robert's Rules of Order shall govern all meetings of the Board and its committees, except in the case where ACCJC has adopted standing rules, in which case these rules shall take precedence over Robert's Rules of Order.

ARTICLE XII INDEMNIFICATION

The Accrediting Commission for Community and Junior Colleges (ACCJC) does hereby grant indemnification to any officer, director, commissioner, or other agent, or former officer, director, including but not limited to ACCJC's employees and team members, for claims or actions asserted against said person arising out of acts or omissions alleged to have occurred in connection with, or as a result of his or her activities as an officer, director, commissioner, employee, or agent, of ACCJC, to the fullest extent permitted by law, provided however, as follows:

- a. When any claim or action is asserted or threatened to be asserted, as described in such statutes, the person requesting indemnification must give timely notice thereof to the President of ACCJC; and
- b. ACCJC must approve of the law firm that will defend that person in such claim or action.

Indemnification shall be provided herein only to the extent that valid and collectible insurance coverage under all existing policies of insurance held by ACCJC has been exhausted.

ARTICLE XIII AMENDMENTS

Any amendment that would terminate all or any class of memberships shall not go into effect until the members have approved amendment in accordance with the procedures contained in Section 5342 of the Corporations Code, or its any successor statute.

Adopted January 2013; Amended: May 2013, October 2013, January 2014, March 2014, June 2014, January 2015, June 2015, November 2015, February 2016, June 2016, March 2018, January 2019, January 2020, April 2021, July 2021; Edited February 2022

Policy on Commission Practices on Policy Review

June 2021

Background

The Commission regularly reviews its policies. Policy review ensures that they are aligned with federal regulations and current trends in higher education, as well as appropriately reflect the values of the Commission. As described in the bylaws of the Commission, ACCJC has policies dealing with the manner in which it conducts its business (operational policies) and policies concerning relations with and activities of member institutions (institutional policies).

Impetus to create, revise, or eliminate a policy may stem from emerging issues in higher education, issues that ACCJC member institutions raise, changes in the U.S. Department of Education regulations or Congressional legislation, changes in the Commission's processes or practice, or revision and consolidation of other existing policies. The need for the Commission to develop, review or revise policy may be identified by the Commission's President, Vice Presidents, input from the field, public comment, or through Commission discussion, including discussion of Commission committees.

General Procedures for Institutional Policies

The Policy Committee, working with appropriate staff, oversees the development of new policies and changes to existing policies. Commission procedures generally provide that proposed institutional policy changes and/or new policies be considered by the Commission during its open session in a two-meeting process. At the first meeting, policy changes and/or new policies are discussed, and modifications are made as appropriate (first reading). These policies are then widely circulated to ACCJC's member institutions and other interested parties for review and comment before presentation at the next scheduled Commission meeting for second reading and adoption.

Following a first reading, proposed revisions to policies shall be posted on the ACCJC website with an invitation for members to send comments to the ACCJC office. Comments from the field are collected during a specified review period, the length of which allows for those comments to be reviewed by Commission staff and the Policy Committee. Relevant comments shall be brought forward for consideration by the Commission when taking final action. Attendees at open sessions are provided the opportunity to address the Commission in accordance with the Commission *Policy on Public Access to Commission Meetings*.

The Commission can make institutional policy changes outside the normal two-meeting process under exceptional or time sensitive circumstances, when changes are needed in order to align with federal regulations, or for other extenuating circumstances. If the Commission makes these changes between regularly scheduled meetings, the changes shall be communicated to the field, including the reason for immediate action by the Commission.

General Procedures for Operational Policies

The Commission may also adopt, amend, or repeal policies that deal with the internal operation of the ACCJC and its staff. Operational policies refer to practices and protocols internal to the operation of the agency and do not impact member institutions or their review process. Action on such operational policies may take place at any Commission meeting, in closed session, and do not require two readings.

Edits to Existing Policies

The need to edit an existing operational or institutional policy arises from time to time. When a policy is edited, a notation of the month and year is added to the policy heading. Edits to correct inputting errors, such as punctuation and spelling, may be completed at any time and are effective when made. Edits to improve readability and clarity without altering the meaning of policy language will be presented to the Policy Committee and included in the Policy Committee's report at the next Commission meeting. These edits will be effective upon posting of the changes on the ACCJC website after the Commission meeting.

Edits to policy required for full compliance with federal or state regulations will be presented to the Policy Committee. Upon approval by the Committee, the edited policy will be presented to the Commission for review and adoption. Upon approval by the Commission, the policy will be disseminated to the field and added to the ACCJC website.

New or Revised Policies

When a new or revised policy is needed, the Commission's staff will prepare the new or revised version for consideration by the Policy Committee. The Policy Committee may make additional changes as deemed necessary. The Policy Committee, upon approval of the new or revised policy, then forwards the policy to the Commission for review and action during the open session agenda noting whether it is a first or second read.

The Policy Committee will forward proposed changes to operational policies to the Commission for review and adoption during the Commission's Board of Directors closed session meeting. The policy becomes effective upon adoption by the Commission.

Deleted Policies

Some policies may outlive their usefulness and need to be eliminated. A policy recommended for deletion will be placed on the Commission's open session agenda. If the Commission approves deletion of the policy, then the field is notified of the removal of the policy and referred to replacement policies, if applicable. Appropriate changes are made to the ACCJC website.

Adopted April 2000; Edited October 2006, Revised November 2012; Revised June 2021

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Policy on Conflict of Interest for Commissioners, Peer Review Team Members, Consultants, Administrative Staff, and Other Commission Representatives

June 2022

Purpose

The Commission seeks to assure that those who engage in accreditation activities make every effort to protect the integrity of accrediting processes and outcomes. The intent of the Commission is to:

- maintain the credibility of the accreditation process and confidence in its decisions;
- assure that decisions are made with fairness and impartiality;
- assure that allegations of undue influence; relationships which might bias deliberations, decisions, or actions; and situations which could inhibit an individual's capacity to make objective decisions are minimized;
- make all of its decisions in an atmosphere which avoids even the appearance of conflict of interest; and
- provide the means to disclose any existing or apparent conflict of interest.

Policy

A conflict of interest is any circumstance in which an individual's capacity to make an impartial and unbiased decision may be affected because of a prior, current, or anticipated institutional/district/system affiliation or other significant relationship(s) with an accredited institution/district/system or with an institution seeking initial accreditation, candidacy, or reaffirmation of accreditation.

The Commission seeks to assure that its decisions on institutions and on all other matters before the Commission are based solely on professional judgment and an objective application of its Eligibility Requirements, Accreditation Standards, and Commission policies (together Commission's Standards). Accordingly, the Commission takes all necessary measures to assure that conflicts of interest and the appearance of conflicts of interest on the part of Commissioners, peer review team members, consultants, administrative staff, or other agency representatives are avoided.

The Commission expects that all individuals associated with the Commission, whether as Commissioners, peer review team members, consultants, administrative staff or other Commission representatives, will display personal and professional integrity and guard against conflicts of interest, or the appearance of conflicts of interest, by adhering to this policy and by refusing any assignment where the potential for conflict of interest exists.

Policy Elements

Each Commissioner, peer review team member, consultant, member of the Commission administrative staff, and other Commission representative is asked to review this Policy and consider potential conflicts of interest in his/her proposed assignments.

The following interactions with an institution/district/system have been determined to be of the type that constitute a conflict of interest or the appearance thereof, normally within the last five years:

- a. current or prior employment at the institution/district/system being evaluated;
- b. candidacy for employment at the institution/district/system being evaluated;
- c. current or prior service as a paid consultant or other business relationship with the institution/district/system being evaluated;
- d. a written agreement with an institution/district/system that may create a conflict or the appearance of a conflict of interest with the institution/district/system;
- e. personal or financial interest in the ownership or operation of the institution/district/system;
- f. close personal or familial relationships with a member of the institution/district/system;
- g. other personal or professional connections that would create either a conflict or the appearance of a conflict of interest; or
- h. receipt of any remuneration, honoraria, honorary degrees, honors or other awards from the institution/district/system.

Notwithstanding the definition of a conflict of interest provided in this policy and in the above list of types of conflicts or potential conflicts of interest, a conflict of interest arising from one of these types of relationships does not go into perpetuity, but normally expires five years after the relationship ends. Nevertheless, the individual is expected to ask him/herself whether the existence of such relationship would in any way interfere with his/her objectivity, and, if the answer is in the affirmative, he/she is expected to refuse the assignment or recuse him/herself from the deliberations related to the issue that caused the conflict of interest.

The following interactions with an institution/district/system have been determined to be of the type that do not constitute a conflict of interest or the appearance thereof:

- a. attending meetings or cultural events on a campus;
- b. having infrequent social contact with members of institutions/districts/systems;
- c. making a presentation at an institution on a one-time, unpaid basis, with no sustained relationship with the institution; or
- d. fulfilling a professional assignment with members of an institution on an issue not related to the institution's accreditation.

Avoiding the Appearance of Conflict of Interest

To achieve the purposes of this policy, it is expected that Commission representatives will make every effort to avoid the appearance of conflict of interest, in both formal and informal interactions with members of the field and with the public. Commissioners and committee

members should adhere to the *Policy on Professional and Ethical Responsibilities of Commission Members* when presented with inquiries or opportunities for public comment on member institutions, ACCJC business or accreditation practices.

Peer Review Team Members

The Commission will not knowingly invite or assign participation in the review of an institution to anyone who has a conflict of interest or the appearance thereof. Team members are required to confirm in writing that they have reviewed this policy when they are invited to serve on a team. In order to avoid an appearance of conflict to the public, immediate family members of Commissioners and Commission staff will not be invited or assigned to participate on an evaluation team or appellant hearing panel.

Institutions being evaluated should review the prospective peer review team member roster for potential conflict of interest. The Commission president should be notified immediately if there are conflicts of interest or any concerns that there might be conflicts of interest.

During the period in which the visit is occurring and Commission action is pending, team chairs and team members are expected to refrain from any of the above listed situations of potential conflicts of interest with an institution for which they have been a peer review team member.

Commissioners

A Commissioner is expected to recuse him/herself from any deliberation or vote on decisions regarding individual institutions where any of the conflicts of interest listed above exist. A Commissioner who served on the most recent peer review team of an institution being considered must recuse him/herself. Any such potential conflict of interest shall be reported to the Commission in advance of the deliberation and action and shall be recorded in the Commission minutes.

A Commissioner who is uncertain regarding a possible conflict of interest may recuse him/herself, or abstain from voting on decisions regarding the institution, in which case there is no requirement to disclose the nature of the contact(s) for review by the Commission. Alternatively, the Commissioner may disclose the nature of the potential conflict of interest for review by the Commission. The Commission shall then determine in all such cases by majority vote whether the situation raises a conflict of interest or the appearance of conflict of interest. If the Commission determines that the situation raises a conflict, the affected Commissioner will be recused from the deliberations of the case that caused the conflict.

In the case where a Commissioner or the Commission president believes that a Commissioner may have a conflict of interest or the appearance of conflict of interest that the Commissioner has not acted upon, that other Commissioner or the Commission president should bring the conflict of interest or the appearance of conflict of interest to the attention of the Commissioner and give him/her an opportunity to recuse him/herself from the deliberations of the case that caused the conflict. If the matter is not resolved, the other Commissioner or the Commission president may bring the matter to the attention of the full Commission, which will then consider the matter and determine by majority vote on whether the situation raises a conflict of interest or the appearance of conflict of interest. If the Commission determines that the situation raises a conflict, the affected Commissioner will be recused from the deliberations of the case that caused the conflict. Commission decisions regarding any issue raised relating to conflict of interest shall be noted in the minutes.

At no time during their appointment as Commissioners, should Commissioners consult with institutions on matters of accreditation for compensation.

In accordance with the Commission's *Policy on Institutional Appeals*, current members of the Commission that took an initial adverse action on an institution may not serve as a member of the Hearing Appeals Panel.

Commission Staff and Consultants

During the period of Commission employment, Commission staff members, including consultants, are expected to refrain from connections and relationships with candidate or member institutions which could represent a conflict of interest. In the case where a Commissioner or another Commission staff believes that a Commission staff member may have a conflict of interest or the appearance of conflict of interest that the staff member has not acted upon, that Commissioner or the other Commission staff should bring the conflict of interest or the appearance of conflict of interest to the attention of the Commission president. The Commission president will determine whether the situation raises a conflict of interest or the appearance of conflict of interest. If the Commission president determines that the situation raises a conflict, Commission staff will be removed from the assignment that caused the conflict.

Commission staff may not engage in private consulting or employment with, nor accept honoraria, or honorary degrees from member institutions. Commission staff may engage in such arrangements with outside organizations or institutions other than member institutions only with the approval of the Commission president. The Commission president may engage in such arrangements only with the approval of the Commission chair.

Suspension or Removal

When a conflict or apparent conflict of interest arises, the Commission president or Commission by majority vote may direct that the involved role or behavior of the affected individual (Commissioner, peer review team member, consultant, administrative staff member, other commission representative) shall cease immediately. When a conflict cannot be resolved by recusal or immediately ending the affected individual's role or behavior that created the conflict or perception of conflict, then:

- a. the Commission president, in the case of a peer review team member, consultant, administrative staff member or other Commission representative, may elect to suspend or remove the affected individual or take such other action as is deemed appropriate;
- b. or the Commission by majority vote, in the case of a Commissioner, may elect to suspend or remove the affected individual or take such other action as is deemed appropriate.

Adopted June 1997; Revised June 1999, March 2001; Edited June 2005; Revised January 2006, January 2012; Edited August 2012; Revised June 2013, October 2013; editorial change June 2017; Revised June 2022.

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Policy on Professional and Ethical Responsibilities of Commission Members

June 2021

Purposes of the Commission

ACCJC is a nonprofit, public benefit corporation organized under the law of the State of California for public and charitable purposes. Guided by its bylaws, mission to advance quality education, and a set of core values founded on the philosophical principles underlying peer review, ACCJC Commissioners support and uphold the ACCJC's Eligibility Requirements, Accreditation Standards, and Commission policies.

Commission Responsibilities

The Commission as a whole:

- Establishes and periodically reviews Eligibility Requirements, Accreditation Standards, policies, and practices with member institutions;
- Serves as the primary decision-maker on accredited status of member institutions;
- Evaluates institutions with a consistent approach and in terms of their own stated mission and purposes; and
- Assists in explaining broad purposes of accreditation and its intended impact on educational quality to the public served by the Commission.

The Commission convenes regular meetings to make institutional decisions. It also convenes meetings in the capacity of a Board of Directors to conduct agency business to consider matters pertaining to legal issues, budget, personnel or financial issues, its bylaws, and internal policies.

Professional Responsibilities of Commission Members

Whether acting in the capacity of a Commissioner or ACCJC Board member, a Commissioner:

- Participates in all Commission and Board of Directors' meetings and attends them for their entire duration;
- Studies documents as assigned prior to the meetings;
- Serves as an in-depth reader of peer review team visit materials as assigned;
- Votes according to his or her best professional judgment in accordance with existing policy and standards;
- Participates on Commission committees and in activities representing the Commission's interests as assigned;
- Participates in self-evaluation and evaluation of the Commission;
- Participates in Commission planning efforts;

- Shows courtesy and respect to all institutional representatives, members of the public, fellow peers, Commissioners, and Commission staff, without regard to race, ethnicity, national origin, disability, or sexual orientation or identity;
- Refers all media inquiries or requests for information concerning ACCJC business, to the Commission President or Commission Chair who serve as the official spokespersons for the ACCJC; and
- Maintains confidentiality of Commission and ACCJC Board matters.

Ethical Responsibilities of Commission Members

Whether acting in the capacity of a Commissioner or ACCJC Board member, a Commissioner:

- Respects the confidentiality of relationships between the Commission and the institutions it accredits;
- Avoids conflicts of interest and the appearance of conflicts of interest, including material financial interests or material voting power including directorships with organizations with which the ACCJC may do corporate business, and subscribes to the *Policy on Conflict of Interest for Commissioners, Evaluation Team Members, Consultants, Administrative Staff, and Other Commission Representatives*;
- Is familiar with and adheres to established Commission bylaws and policies;
- Respectfully refuses gifts of more than a nominal value from eligible, candidate, or accredited institutions or affiliated persons, or any vendors, in order to avoid any inferred conflict of interest; and
- Notifies the Commission President or Commission Chair if s/he is unable to perform the duties and carry out the responsibilities of a Commissioner.

The Commission has a zero-tolerance policy for instances of unprofessional or unethical conduct, including instance of substance abuse or any form of harassment.

Responsibilities of Commissioner Confidentiality in Reviewing Institutions and Conducting Board Business

Whether acting in the capacity of a Commissioner or ACCJC Board member, a Commissioner will:

- Treat all institution-related documents as confidential unless they are explicitly identified to the contrary in writing, and refrain from discussing all such documents and related information except within their role as Commissioners with those who have a need for such information in the course of reviewing an institution;
- Protect all confidential documents provided to Commissioners in the course of ACCJC business, and refrain from discussing all such documents and related information except within their role as Commissioners and ACCJC Board members and with those who have a need for such information in the courses of conducting Commission business;
- Take reasonable measures to assure the confidentiality of all documents in their possession by retaining those documents only on private electronic devices such as computers or iPads, or in private paper files;

- Permanently delete and/or dispose of documents when they are no longer needed for the matter under consideration; and
- Adhere to the ACCJC *Statement On the Process for Preserving Confidentiality of Documents Related to Institutional Evaluations*.

Adopted January 2001; Edited June 2001, June 2003, June 2005; Revised June 2013, June 2021

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Policy on Public Access to Commission Meetings

January 2021

The Commission holds its meeting for two purposes: to consider informational and policy matters as may come before it and to decide the accredited status of applicant and member institutions.

Open Session of the Commission Meeting

The Commission meets in Open Session when deliberating or acting upon informational or policy matters. The Commission holds open session to share information with the field and to provide transparency to the public. The Commission supports and encourages the presence of members of the public at its Open Session. Space, though limited, is made available for members of the public at each meeting. In the case of virtual meetings, members of the public will have opportunity to be present through the online virtual platform.

The Commission sends a preliminary agenda of the open session approximately 45 days before each regular meeting of the Commission to the Chief Executive Officer and Accreditation Liaison Officer of all applicant, candidate, and accredited institutions with the request that the agenda be posted or otherwise publicized. The open session agenda is also posted on the Commission web page in advance of the meeting.

Anyone may attend the open session of Commission meetings as space allows. Anyone wishing to make a public comment must give advance notice as outlined below and identify the agenda item(s) that they wish to address. No reference to specific individuals or institutions shall be made in Open Session.

Public participation is focused on the following:

- A. Brief comments on specific points in the Open Session agenda. These may be made at the end of the Commission discussion of the same topic upon recognition from the Chair. The Chair may invite participation at other times at his/her discretion.
- B. Public comment period. Open Session agendas will include a period for public comment, generally at the beginning of the meeting. Individuals wishing to make public comment will be asked to register and to cite the subject of their comments.

Participant statements shall be limited to five minutes or less, but may be extended at the discretion of the Chair or vote of the Commission.

Closed Session Agenda of the Commission Meeting

When deliberating or acting upon matters that concern the accredited status of institutions, the Commission meets in Closed Session to ensure the confidentiality of those matters. In accordance with ACCJC's *Policy on the Rights and Responsibilities of the Commission and Member Institutions*, when the Commission is deliberating or acting upon matters that concern

an institution, it will invite the Chief Executive Officer of the institution to meet with the Commission in Closed Session. Members of the public who wish to comment on an institution's accreditation status may inform the Commission by following the procedures detailed in the Commission's *Policy on Complaints Against an Institution* or providing a [Third-Party Comment](#).

*Adopted June 1978; Revised January 2000; Edited June 2005; Revised January 2006;
Edited August 2012, April 2013; Revised October 2013, January 2014, January 2015; Revised
January 2021*

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Policy on Relations with Federal, State, and Other Accrediting Agencies

January 2022

The Accrediting Commission for Community and Junior Colleges maintains a working relationship with the U.S. Department of Education (ED), state and other governmental agencies, and institutional, specialized and/or programmatic accreditors recognized by the U.S. Department of Education. This relationship is guided by federal regulations and anti-trust laws in regards to sharing information and considering other agency decisions. While the Commission's *Policy on Public Disclosure and Confidentiality in the Accreditation Process* specifically addresses the timely notification of information on its accrediting decisions with other entities¹, this policy focuses on the consideration of actions taken by other federal, state, and ED recognized accrediting agencies².

The Commission routinely receives information from governmental agencies and other accrediting agencies. Upon receipt of information regarding adverse actions, or probation, or an equivalent status, against a member institution by a federal, state, or another ED recognized accrediting agency, Commission staff will review the accreditation or preaccreditation of the institution and seek further information from the agency involved to determine whether a review of the accredited status of the institution will be required.³

Generally, the Commission will not grant Eligibility, Candidacy (Preaccreditation), Initial Accreditation, or Reaffirm the accreditation of any institution during a period that the institution is the subject of⁴:

- 1) A pending or final action brought by a governmental agency to suspend, revoke, withdraw, or terminate the institution's legal authority to provide a postsecondary education;
- 2) A decision by another ED recognized agency to deny accreditation or preaccreditation;
- 3) A pending or final action by an ED recognized accrediting agency leading to the suspension, revocation, withdrawal or termination of the institution's accreditation or preaccreditation; or
- 4) Probation or equivalent status by an ED recognized agency.

In its review, however, if the Commission makes an exception and grants accreditation or preaccreditation notwithstanding these actions, the Commission will provide to the U.S. Secretary within 30 days of its action a thorough and reasonable explanation, consistent with its accreditation standards, why the action of the other entity does not preclude ACCJC's grant of accreditation or preaccreditation.⁵

¹ § 602.26; 602.28(e)

² § 602.28(b)(c)(d)

³ § 602.28(d)

⁴ § 602.28(b)

⁵ § 602.28(c)

Adopted January 1998; Revised June 1998; Edited June 2002; Revised October 2013; Revised January 2022

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Policy on Review of Accreditation Standards

January 2018

The Commission initiates a systematic and comprehensive review of its Accreditation Standards every ten years. The review is designed to assess the utility, effectiveness and relevance of the Accreditation Standards, and to ensure that they are updated to align with changing institutional characteristics, societal needs, federal regulations, and best practices in higher education. Information from multiple sources, including input from internal and external constituencies, are used in the review. If the Commission determines that changes to the Accreditation Standards are needed, then it announces its intent to change the Standards.¹ The review may result in formative and clarifying revisions, or in significant changes to Accreditation Standards as deemed appropriate.

The Review Process

The Commission makes available to its member institutions and the public information announcing the Review, the Commission's means of soliciting input on Accreditation Standards, and a proposed timeline for completing the review and implementation of any new or revised Accreditation Standards. During the review process, the Commission will provide periodic updates to its member institutions and the public on its progress in reviewing and developing the Accreditation Standards through electronic communications, notices on its website, and its newsletter.

The process for review of Accreditation Standards:

1. Examines whether the Standards are adequate to evaluate institutional and educational quality;
2. Examines whether the Standards are relevant to the educational needs of students and adequately evaluate student learning and achievement;
3. Examines each standard and the Standards as a whole;
4. Solicits suggestions from internal constituencies such as Commissioners and Commission staff; member institutions, their staff, and governing board members; and persons who serve as evaluation team members and team chairs;
5. Solicits suggestions from communities of interest or others with special expertise in accreditation related matters; and
6. Solicits suggestions from external constituencies such as students, business leaders and other members of the public served by member institutions.

¹ If, during a review process, the Commission determines changes to the Accreditation Standards are needed, then the Commission is required to initiate action within 12 months to make the changes, and must complete the action within a reasonable period of time. 34 C.F.R. § 602.21(c).

Development and Approval of Revised Accreditation Standards

If the review process results in the need for revisions to the Accreditation Standards, the Commission may use the assistance of special topic task forces, accreditation experts, an editorial board or drafting committee, and persons from member colleges when drafting proposed language for the revised Accreditation Standards.

Once any revised Accreditation Standards have been drafted, the Commission will provide opportunities to its member institutions, their staff and governing board members; college systems to which they may belong; students; business leaders and other members of the public; and other higher education associations, to comment on proposed changes to Accreditation Standards. These individuals and groups are invited to send written comments to the Commission and/or to testify at public hearings and meetings scheduled by the Commission. The comments gathered are taken into account as the Commission finalizes any revisions to Accreditation Standards.

When the Commission has developed a final draft of the Accreditation Standards, it will announce the date and location for a Commission meeting at which the Accreditation Standards will be considered for first reading, and will invite comment on the draft during a public hearing. In order to facilitate constituency and public input, the Commission may conduct additional public hearings throughout the Western region on the final draft of the Accreditation Standards. The Commission will announce the date and location for a Commission meeting at which the Accreditation Standards will be considered for second reading and adoption, and will invite comment before taking action to adopt the revised Accreditation Standards. The process for drafting and approving standards normally will be completed within two years.

Revisions to Accreditation Standards between Reviews

If the Commission identifies a need to revise a Standard ² at any time between the regular ten-year review, the process for ensuring constituent participation will be consistent with the process used during the ten-year review. When the Commission identifies a need to change an Accreditation Standard, it will initiate action within 12 months.

At any time between the regular ten-year review of Accreditation Standards, if the Commission identifies any ambiguities in the Accreditation Standards language, the Commission may revise the wording of a Standard to clarify meaning through the normal Commission meeting process with a first and second reading. Notice will be provided to member institutions and the public of the opportunity for institutional and public comment on such proposed changes before adoption.

Adopted June 1996; Revised June 1998, January 1999, June 2001, January 2007; Edited October 2007; Revised January 2013; Revised January 2018

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² The U.S. Department of Education (ED) can require accrediting bodies to make changes to Accreditation Standards and policies within one year of adoption of new regulations or discovery by ED that an accreditor's Standards are not compliant with federal regulations. In such cases, ACCJC will need to respond within the one year time frame (34 C.F.R. § 602.36).

Statement on the Process for Preserving Confidentiality

June 2022

While in the service of ACCJC, Commissioners, ACCJC committee members, other Commission representatives or consultants, and members of peer review teams, may have access to or obtain information that is otherwise not available to the general public including matters of a confidential nature concerning ACCJC's practices, accredited institutions, employees, and students at those institutions, and other similar matters. Throughout the duration of their relationship with ACCJC and thereafter, Commissioners, ACCJC committee members, other Commission representatives or consultants, and members of peer review teams shall treat all such information in a confidential manner.

Confidential documents include, but are not be limited to, personal notes by the Commissioners, team and committee members, institutional self-evaluations, team reports, committee reports, institutional audits, letters or memos to or from ACCJC and any documents containing information that would generally be considered proprietary by the institution or ACCJC.

Accordingly, Commissioners, ACCJC committee members, other Commission representatives or consultants, and members of peer review teams must take reasonable measures to assure the confidentiality of documents or information (physically or electronically) in their possession and may only discuss the contents of such documents or information with anyone required to have the information in connection with the matter under review.

At such time as continued possession of such documents is no longer necessary, Commissioners, team and committee members who are in possession of such documents will be expected either to return them to ACCJC or delete them from their possession. Commissioners, team and committee members are not permitted to physically or electronically store or retain such documents in their possession following their usage for the relevant institutional review. At the adjournment of Commission, team, and committee meetings, ACCJC staff may ask that some or all of the documents pertaining to the institution be returned to the ACCJC.

Adopted June 2013; Revised June 2022

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