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## Range and Meaning of Commission Actions Affecting Institutional Status

Actions taken by the New England Commission of Higher Education relative to the status of institutions affiliated or seeking affiliation are based on the application of the Commission's criteria in its evaluative processes. These criteria include the *Requirements of Affiliation*, which must be met by institutions seeking or wishing to maintain candidate status or accreditation, the evaluative Criteria for Candidacy, which must be satisfied by institutions seeking or wishing to maintain candidate for accreditation status, and the *Standards for Accreditation*, which must be met by institutions seeking or wishing to maintain accreditation. In addition, affiliated institutions are expected to adhere to those Commission policies affecting institutional conduct.

The processes by which the criteria are applied typically begin with the institution's preparation of a report that demonstrates it meets the *Requirements of Affiliation* and is therefore eligible to apply for candidacy. Upon determination by the Commission of the institution's eligibility, the institution prepares a self-study. The institution is then evaluated by a team of peers that reports its findings to the Commission. Action establishing an institution's status is taken by the Commission upon consideration of the institutional and team reports. Further information on the Commission's usual evaluative processes is included in the Review of Institutional Status section of this policy.

**In extraordinary circumstances, the Commission may take an action affecting institutional status apart from its usual evaluative processes. However, in such situations procedural fairness is maintained.**

The Commission's Policy on Notification of Actions Affecting the Accreditation Status of Affiliated Institutions and Providing Other Information specifies how information regarding accreditation decisions is shared with the federal government, state agencies, the public, and others.

### Range and Meaning of Actions

#### Institutions Seeking Candidacy Status:

*Candidacy Status* - The Commission decides that an institution should be granted candidacy status when it is found that the institution meets the *Requirements of Affiliation* and the evaluative Criteria for Candidacy. While candidacy is a status of affiliation, it is not accreditation, nor does it assure eventual accreditation. Rather, it indicates that the institution has achieved initial recognition and that it is progressing

toward accreditation. Once granted candidacy, an institution may remain in that status no longer than five years. The continued compliance of a candidate institution with the Commission's criteria and its progress toward accreditation are determined by means of a biennial evaluation during the period of candidacy. The effective date of candidacy is established by the Commission in keeping with federal regulations.<sup>1</sup>

*Deferment of Action* - Action on an institution's application for candidacy will be deferred when the Commission judges that it has insufficient data on which to base a final decision. In such cases, action is tabled until a specified time, but in no case longer than two years from the date of the Commission action. In the interim, the institution is required to submit a report and/or host a visit by Commission representatives.

*Denial of Candidacy Status* - The Commission will deny candidacy status when it finds that an applying institution does not meet the *Requirements of Affiliation* and/or the evaluative Criteria for Candidacy. Prior to taking the action to deny, the Commission will provide an opportunity for the institution to show cause why the decision to deny candidacy status should not be made. The burden of proof shall rest with the institution. If an action to deny candidacy is taken, the institution may appeal this action under the relevant policies and procedures.

*Continuation in Candidacy Status* - An institution is continued in candidacy status when it is determined through the biennial evaluation or other Commission review that it continues to meet the *Requirements of Affiliation* and the evaluative Criteria for Candidacy and demonstrates that it is making satisfactory progress toward accreditation.

*Withdrawal of Candidacy Status* - When it determines that a candidate institution no longer meets the *Requirements of Affiliation* and/or the evaluative Criteria for Candidacy, the Commission will withdraw candidacy status. Prior to withdrawing candidacy status, the Commission will provide an opportunity for the institution to show cause why the action should not be taken. Normally this opportunity will be scheduled for the next Commission meeting but in no case longer than two Commission meetings. The burden of proof shall rest with the institution. Institutions may appeal the withdrawal of candidacy under the relevant policies and procedures. Until final action is taken on the appeal, the institution's candidate status is unaffected. Institutions that lose candidacy status and subsequently seek affiliation must complete the entire process required of any applying institution as prescribed by the policies and procedures of the Commission.

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<sup>1</sup> Consistent with federal regulations effective July 1, 2020 that permit retroactive application of a preaccreditation decision, the effective date of candidacy is established as the last day of the evaluation visit.

### **Institutions Seeking Initial Accreditation:**

*Initial Accreditation* - The Commission decides that an institution seeking accreditation should be granted that status when it is found that the institution meets the *Requirements of Affiliation* and the *Standards for Accreditation*. The effective date of initial accreditation is established by the Commission in keeping with federal regulations.<sup>2</sup>

*Deferment of Action* - Action on an institution's application for accreditation will be deferred when the Commission judges that it has insufficient data on which to base a final decision.

Action may also be deferred when it is found that an institution seeking accreditation meets most, but not all, of the *Standards for Accreditation*, the identified deficiencies having the capability of being rapidly remedied.

In cases of deferral, action is tabled until a specified time, normally until the next Commission meeting, but in no case to exceed two Commission meetings from the time of the Commission action, the institution being required in the interim to submit a report and/or host a visit by Commission representatives. If the Commission has reason to believe that the institution may fail to meet one or more *Standards for Accreditation*, it will ask the institution to show cause why it should not be denied accreditation.

*Denial of Initial Accreditation* - When the Commission finds that an institution seeking initial accreditation does not meet the *Standards for Accreditation* and that the deficiencies are such as not to be capable of being rapidly remedied, the Commission will deny initial accreditation. When the applying institution is otherwise in good standing as a candidate, it will be continued in that status up to the maximum allowable time as a candidate. The Commission may extend the institution's candidacy status for currently enrolled students until the institution has had a reasonable chance to complete its teach-out plan to assist students in transferring or completing their programs, normally a period not to exceed 120 days, unless the Commission extends for good cause.

However, if it is also determined that the institution no longer meets the *Requirements of Affiliation* and/or the evaluative Criteria for Candidacy, the Commission will withdraw candidacy. Prior to taking an action to deny initial accreditation or to withdraw candidacy, the Commission will provide an opportunity for the institution to show cause why the action should not be taken. Normally this opportunity will be scheduled for the next Commission meeting but in no case longer than two Commission meetings. The burden of proof shall rest

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<sup>2</sup> Consistent with federal regulations effective July 1, 2020 that permit retroactive application of an accreditation decision, the effective date of initial accreditation is established as the last day of the evaluation visit.

with the institution. Institutions may appeal the denial of accreditation or the withdrawal of candidacy under relevant policies and procedures. Until final action is taken on the appeal, the institution's status is unaffected. Institutions denied accreditation and continued in candidacy must subsequently seek accreditation in keeping with the policies and procedures of the Commission. If the institution's candidacy is withdrawn and it subsequently seeks affiliation, it must complete the entire process required of applying institutions as prescribed by the policies and procedures of the Commission.

### **Institutions Seeking Continued Accreditation:**

*Continued Accreditation* - An institution is continued in accreditation by the Commission when it is found that the institution continues to meet the *Standards for Accreditation*. Institutions whose accreditation has been re-affirmed normally undergo comprehensive re-evaluation for continued accreditation on a decennial cycle, though the length of time between visits may be modified to reflect institutional circumstances, in keeping with the Policy on Periodic Review.

*Deferment of Action* - Action on continuing an institution's accreditation may be deferred when the Commission judges that it has insufficient data on which to base a decision. In such cases, action is tabled until a specified time, normally until the next Commission meeting, but in no case to exceed two years from the date of the Commission action. In the interim, the institution is required to submit a report and/or host a visit by Commission representatives. If the Commission has reason to believe that the institution may fail to meet one or more *Standards for Accreditation*, it will ask the institution to show cause why it should not be put on probation or have its accreditation withdrawn.

*Probation Status* - When the Commission finds that an institution fails to meet one or more *Standards for Accreditation* and/or other policies, the Commission will withdraw accreditation (see below) or place the institution on probation. In such situations, the Commission will place an institution on probation if it determines that the failure to meet one or more Standards represents a condition that can be remedied by the institution within the time period allowed.

Prior to placing an institution on probation, having determined that there is reason to believe that the institution may not meet one or more of the *Standards for Accreditation*, the Commission will provide an opportunity for the institution to show cause why the action should not be taken. Normally this opportunity will be scheduled for the next Commission meeting but in no case longer than two Commission meetings. The burden of proof shall rest with the institution. Institutions may appeal the probation action under relevant policies and procedures. Until the appeals process is completed, the institution's status is unaffected. If the institution loses the appeal, the effective date of probation is the date of the Commission action.

An institution on probation must bring itself into compliance with the Commission's Standards within a time period specified by the Commission; failure to do so will result in the withdrawal of accreditation. Institutions for which the longest degree program is at least four years will have a maximum period of four years to come into compliance with Commission Standards; institutions for which the longest degree program is two years will have three years to come into compliance; and institutions for which the longest degree program is at least one year but less than two years will have a maximum of eighteen months. In placing an institution on probation, the Commission may specify a shorter period of time during which the institution must demonstrate it has come into compliance with the Standards or face the loss of its accreditation.

Institutions on probation are subject to special scrutiny by the Commission which may include the submission of specified reports and hosting visiting teams. If conditions at the institution worsen significantly during the period of probation, the Commission may take an action withdrawing accreditation. If the institution on probation does not come into compliance with the Standards during the specified time period, the Commission will withdraw accreditation unless the Commission, for good cause, extends the period for achieving compliance.

Probation is a public status indicated in any publication by the Commission or communication about the affected institution. The Commission will provide the reasons for probationary status as well as plans to monitor the institution. An institution on probation is obliged to disclose its status as well as the availability of additional information on its probationary status to prospective students, those currently enrolled, and the public, on its website, in its catalog, and in recruitment materials.

*Withdrawal of Accreditation* - The Commission will withdraw the accreditation of an institution on probation if at the end of the specified time period, but not to exceed two years, the institution has not come into compliance with the Commission's Standards unless extended for good cause. The Commission may also withdraw the accreditation of an institution not on probation if it finds that the institution is not meeting one or more *Standards for Accreditation* and that this non-compliance is fundamental to the institution's integrity or its ability to come into compliance within the specified period.

For institutions not on probation, if the Commission has reason to believe that the institution may fail to meet one or more *Standards for Accreditation* prior to taking the action to withdraw accreditation, the Commission will provide an opportunity for the institution to show cause why the decision to withdraw accreditation should not be made. The burden of proof shall rest with the institution. Institutions may appeal this action under relevant policies and procedures. Until final action is taken on the appeal, the institution's status is unaffected. Institutions that lose accreditation and subsequently seek affiliation must satisfactorily complete the entire process for applying institutions as required by the policies and procedures of the Commission.

## Review of Institutional Status

In keeping with the policy on *Periodic Review*, all accredited institutions must undergo comprehensive evaluations, preceded by institutional self-study, at least once every ten years. Institutions granted initial accreditation are required to undergo a comprehensive evaluation within five years. Within these limits, the period of time between comprehensive evaluations is determined individually on the basis of institutional circumstances. In establishing the future evaluation schedule for an institution, the Commission takes into consideration such things as the degree of prospective institutional change and its effect on the institution's compliance with the criteria for accreditation, and the pervasiveness of concerns about compliance with those criteria.

Between comprehensive evaluations, the Commission may require reports and/or evaluations focused on specified items. All institutions on a ten-year evaluation cycle must submit during the fifth-year an interim report which provides an overview of the institution in its current state of development, major changes occurring since the previous evaluation, a response to concerns and recommendations resulting from the last evaluation, and a reflective essay on student learning and success.

Every candidate or accredited institution is also required to submit an Annual Report, which updates the Commission on key variables and provides the institution an opportunity to forecast anticipated requests for Substantive Changes.

Institutions may also be asked to submit other reports on specified topics. Such reports, which may be accompanied by a visit, may reflect the institution's commitment to address important issues raised during, for example, a comprehensive evaluation. They may also reflect an expression of the Commission's concern regarding specified institutional conditions related to the *Standards for Accreditation* and/or other policies. The report provides an opportunity for the institution to inform the Commission of action taken to address the areas specified. Other circumstances that would result in the Commission's requiring a report include the need for additional information, as in the case of a deferral of action, and the need to monitor anticipated significant institutional developments. When external validation of the report's content is believed necessary, the report is followed by an evaluation visit to the campus by a small number of Commission representatives.

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