Policy Changes Adopted on Second Reading

Peer Corps Standards of Conduct and related policies

The Board of Trustees adopted these policies on second reading at its meeting on November 1, 2012.

Background

The Board adopted a new policy that articulates Standards of Conduct for the appropriate and ethical behavior by peer reviewers during and after evaluation visits. The Board also adopted general updates and amendments to related peer review policies.

Implementation

These policies are effective immediately.

	Commitment to Peer Review
Policy PEER.A.00.000	Commitment to Peer Review The Commission is committed to a strong Peer Corps that will conduct evaluations and take accrediting actions on behalf of the Commission's member institutions. Through its recruitment and selection processes, the Commission will strive to assure that the Peer Corps reflects the diversity of the people—professionals and students—engaged in higher education in the Higher Learning Commission region. In selecting and appointing Peer Reviewers the Commission does not discriminate on matters of race, creed, gender, sexual orientation, or physical disability. Policy Number Key Section PEER: Commitment to Peer Review Chapter A: Policies Applicable to All Peer Reviewers Part 00: Introduction Last Revised: First Adopted: November 2012 Revision History: Notes: Related Policies:
Policy	Eligibility Criteria and Selection

PEER.A.10.020

A majority of the members of the Peer Corps will be officially and actively employed on a full-time basis by regionally accredited institutions of higher education as faculty or instructors, administrators or other institutional personnel. Other members of the Corps may include, as appropriate, members of boards of trustees of accredited institutions, legal counsel, state education or system employees, representatives of the business community, public members or other employees of institutions. The Corps may also include individuals with specialized experience in quality improvement or other areas and recent retirees from any of these categories above. Peer reviewers will have appropriate academic degrees from accredited institutions of higher education or the equivalent foreign degrees as well as a minimum of five years of work experience. A majority of the members of the Peer Corps will be located, either through personal residence or employment relationship, in the North Central region.

The Commission will assure representation in the Peer Corps, on evaluation teams, and in decision-making bodies of individuals who are academics, including faculty members, academic deans or others who have a primary responsibility in the teaching and learning process, and administrators who have a primary responsibility of providing oversight in an institution of higher education.

The staff of the Commission will be responsible for developing selection criteria for Peer Reviewers and for implementing a selection process and will report the Corps' composition to the Board of Trustees.

Specialized Corps. The staff of the Commission may establish within the Peer Corps specialized groups of peer reviewers who will be assigned to initial status, sanction or show-cause, advisory visit or other evaluations that the Commission determines to require specialized expertise or training or to perform particular functions on the team including chair, recorder, etc.

Policy Number Key

Section PEER: Commitment to Peer Review

Chapter A: Policies Applicable to All Peer Reviewers

Part 10: General

Last Revised: November 2012 First Adopted: January 1983

Revision History: February 2002, October 2003, November 2012

Notes: Former policy numbers 6.1

Related Policies:

Policy PEER.A.10.025

Terms of Appointment

A new Peer Reviewer shall be appointed to a two-year probationary term. Commission staff will review that appointment after completion of the two-year probationary term. The Commission staff will take into consideration the Peer Reviewer's completion of required training as well as performance in institutional evaluations. On the basis of this review, the Commission staff will decide whether to appoint the Peer Reviewer to a four-year term.

At the expiration of the four-year term, Commission staff may invite a Peer Reviewer to apply for reappointment for a successive four-year term. The Commission staff will consider the Peer Reviewer's performance in institutional evaluations, including comments from institutions, other Peer Reviewers and staff, and the Peer Reviewer's adherence to the Peer Reviewer Standards of Conduct in determining whether to appoint the Peer Reviewer to a subsequent four-year term.

The Commission retains the discretion to evaluate the performance of a Peer Reviewer at any time and end the term of a Peer Reviewer if the Commission determines it to be appropriate. The Commission may also end the term of a Peer Reviewer before the regular completion date if that Peer Reviewer no longer meets the eligibility criteria for the Peer Corps established by the Commission. The Commission will notify the Peer Reviewer of such action.

Policy Number Key

Section PEER: Commitment to Peer Review

Chapter A: Policies Applicable to All Peer Reviewers

Part 10: General

Last Revised: November 2012 First Adopted: February 1994

Revision History: October 2003, November 2012

Notes: Former policy numbers 6.2

Related Policies:

Policy PEER.A.10.030

Required Training and Professional Development

Within the initial two-year term and prior to participation in any institutional evaluation, a Peer Reviewer must participate in Commission training or professional development that educates the Peer Reviewer in the application of the Commission's Criteria for Accreditation and Commission policies and the specific processes integral to Commission evaluations. Peer Reviewers must complete training at least every three years thereafter or within two years after any major initiative such as the adoption of new Criteria for Accreditation.

Such training may be customized for the specific role the Peer Reviewer undertakes in the Commission's evaluation process, including training in preparation for a role in the Commission's decision-making or appeals processes. Training for Peer Reviewers will regularly include a segment on evaluating distance and correspondence education.

Training may take place through in-person events or electronic mechanisms that will allow the Peer Reviewer to complete the training program and the Commission to assess the Peer Reviewer's completion of the training material.

Policy Number Key

Section PEER: Commitment to Peer Review

Chapter A: Policies Applicable to All Peer Reviewers

Part 10: General

Last Revised: November 2012 First Adopted: February 1994 Revision History: October 2003, February 2004, February 2010, November 2012 Notes: Former policy numbers 6.3

Related Policies:

Policy PEER.A.10.010

Standards of Conduct

The Commission expects Peer Reviewers to behave with the highest level of ethics and integrity while conducting any activity for the Commission. Peer reviewers must abide by appropriate and ethical standards of conduct to assure the public and the higher education community that evaluations have been carried out objectively and with the goal of assuring the public good.

While participating as Peer Reviewers in any institutional evaluation, hearing or other Commission activity as a Peer Reviewer, Peer Reviewers shall agree to abide by the following Standards of Conduct:

Peer Reviewers:

- 1. Conduct themselves with appropriate dignity and professionalism while representing the Commission.
- 2. Treat all institutional representatives, members of the public, fellow peer reviewers and Commission staff with courtesy and respect.
- 3. Adhere to the Commission's Policy on Objectivity and Conflict of Interest and disclose any actual or apparent conflicts to the Commission staff in advance of accepting any assignment.
- 4. Avoid representing interests that conflict or compete, or provide the appearance of conflict, competition or bias, with the fair and objective review of every institution.
- 5. Act with competence in all Commission activities by reading assigned materials in advance, reviewing Commission requirements, attending required training, and participating in all evaluation activities as outlined by Commission staff.
- 6. Follow the Commission policy for Peer Reviewers on Independent Consulting and guidelines on independent consulting and mock visits.
- 7. Decline any offer of gifts, incentives, or other compensation from any institution under review unless those gifts are nominal in nature (less than \$50 fair market value per individual gift) or of significance in a particular cultural context and notify the Commission staff of an offer of such gift that exceeds this threshold. (Note that the institution may provide a meal or social function for an evaluation team or other Commission group provided that the function is conducted simply and at reasonable cost.)
- 8. Act with appropriate fiscal moderation while conducting an institutional evaluation or other Commission activity and provide an accurate and honest reporting of all expenses incurred during that activity.

- 9. During an evaluation visit to an institution and for a period of one year after Commission action in the evaluation, refrain from seeking employment from or accepting employment, or any future relationship, with the institution under review.
- 10. During an evaluation visit to an institution and for a period of one year after Commission action in the evaluation, refrain from seeking to employ or otherwise hire or retain any employee of the institution under review.
- 11. Protect confidential information received through the Commission's processes and observe the Commission Policy on Confidentiality.
- 12. Refrain from commenting on the details of any institutional review in which they have been engaged unless compelled by legal process.
- 13. Cooperate in any legal process in which the Commission or its Board of Trustees or staff have become engaged, refrain from responding to any inquiries related to legal action made by institutions or their counsel, and direct such inquiries to Commission staff.

Policy on Objectivity and Conflict of Interest. Peer Reviewers and decision-makers must be able to render impartial and objective decisions on behalf of the Commission. Therefore, the Commission will not knowingly allow any person whose past or present activities could affect his or her ability to be impartial and objective to participate in an institutional evaluation (Assurance Review, Focused Visit, Change Panel or Visit, Institutional Actions Council hearing, Appeals Panel, or AQIP process). Peer Reviewers will inform the staff of the Commission of any barrier to impartiality and objectivity known to them.

Confirmation of Objectivity Form. Through the Confirmation of Objectivity form a Peer Reviewer affirms a commitment to, and capacity for, impartiality. Before participating in any institutional evaluation each Peer Reviewer will sign a Confirmation of Objectivity form regarding each institution being evaluated. Before participating in any panel review, Institutional Actions Council hearing or appeal, each Peer Reviewer will sign or orally agree to a Confirmation of Objectivity for each institution under consideration.

The Confirmation of Objectivity form will identify situations involving conflict of interest as well as provide examples of other situations that raise the potential for conflict of interest. The form will require that the person disclose any such conflicts, predisposition, or affiliation that could appear to jeopardize objectivity. When appropriate, Commission staff will notify the institution of that potential and will consult with the Peer Reviewer and the institution regarding that person's suitability for the assignment. The Commission staff reserves final responsibility for determining whether the Peer Reviewer who has identified a potential bias or predisposition will participate in an institutional evaluation, review, or decision-making.

Policy on Confidentiality. In all Commission accreditation processes, a Peer

Reviewer must agree to keep confidential any information provided by the institution under review and information gained as a result of participating in any part of the Commission's review processes. Confidential information includes, but it not limited to:

- 1. Information about the institution not available to the public through the institution's own program to share information and its reporting to the Federal Government (IPEDS);
- 2. Information the institution identifies as "proprietary" such as recruitment strategies including pricing policies, new strategic initiatives being considered or planned for, impending but not public changes in personnel, legal activities not yet part of the public record, planned acquisitions or mergers, courseware and software created by the institution for its own use;
- 3. Information provided in the institutional self study report or Assurance Filing, and information made available in the resource room or electronically including such documents as personnel files, minutes of meetings, transcripts of grievances and hearings, management letters from external auditors, reports from internal and external quality assurance activities (i.e., reports from specialized accrediting agencies or program reviews);
- 4. Information identified explicitly by the institution as "Confidential";
- 5. In clinical settings, patient identity, history, and all other information related to the patient's involvement with the clinic;
- 6. Information shared orally during an on-site visit and any face-to-face hearing that might be part of the Commission's review processes.

Keeping information confidential requires that the Peer Reviewer not discuss or disclose institutional information except as needed to further the purpose of the Commission's evaluation processes. It also requires that the Peer Reviewer not make use of the information to benefit any person or organization. Maintenance of confidentiality survives the evaluation visit and continues after the process has concluded

Independent Consulting

To avoid the appearance of possible conflict of interest in the accreditation process, no Peer Reviewer who evaluated an institution will serve as an independent consultant to that institution for a period of three years following the official Commission accrediting action. In addition, no Peer Reviewer will participate in an evaluation of an institution for which that Peer Reviewer served as an institutional consultant in the previous ten years.

Peer Reviewers will disclose to the Commission on an annual basis all consulting activities related to an institution accredited by the Commission or related to accreditation and will agree to inform any institution or other entity with which the Peer Reviewer is developing a consulting relationship that the Peer Reviewer is acting in a personal capacity and is not representing the Commission.

Any Peer Reviewer who violates this policy will be removed automatically from the Peer Review Corps.

Violations of the Standards of Conduct. The Commission staff will investigate allegations that a Peer Reviewer has violated the Standards of Conduct and may ask the Peer Reviewer or others involved to provide information. If there is a determination that a Peer Reviewer has violated a Standard of Conduct, the President of the Commission may issue a letter of reprimand or may ask a Commission staff member to provide a verbal warning to the Peer Reviewer. The Commission may end the term of the Peer Reviewer prior to the regular completion date.

Policy Number Key

Section PEER: Commitment to Peer Review

Chapter A: Policies Applicable to All Peer Reviewers

Part 10: General

Last Revised: November 2012

First Adopted: January 1983, February 2001, November 2006

Revision History: October 2003, November 2012 Notes: Former policy numbers 5.1, 5.1(a), 5.3, 8.2

Related Policies:

	Other Policy Changes Required by these Changes
5.2	DELTE THE FOLLOWING POLICIES:
	Commitment to Equity and Diversity in the Peer Review Corps
	Policy subsumed in new introduction to Peer Review Policies, PEER.A.00.000
6.4 6.5	Completion of Service on the CE-Corps Termination of Service on the CE Corps
	Policies subsumed in revisions to Terms of Appointment, PEER.A.10.025
6.6	Team Chair Corps
	Policy subsumed in Eligibility Criteria and Selection, PEER.A.10.020
6.7 6.8	Size of Team Institution Review of Team
	Delete the following sentence: Typically no fewer than four members shall serve on a team for a comprehensive evaluation and no fewer than two serve on a team for a focused visit. Policies combined into new policy PEER.A.10.035 Peer Corps Members on Teams.

6.9 6.10	Observers on Teams Terminating or Postponing a Visit Policies subsumed in Staff Actions and Recommendations, INST.C.30.010
7.1 7.2	AQIP Reviewers Terms of Appointment
	Policies subsumed in revisions to Terms of Appointment, PEER.A.10.025
INST.E.20.010	Institutional Actions Council Composition, Selection, Term and Activity Add to the end of the first paragraph: IAC shall include representation of individuals who are academics, including faculty members, academic deans or others who have a primary responsibility in the teaching and learning process, and administrators who have a primary responsibility of providing oversight in an institution of higher education.
INST.D.90.010	Appeals Body and Panel Add to the end of the second paragraph: The Appeals Panel shall include representation of individuals who are academics, including faculty members, academic deans or others who have a primary responsibility in the teaching and learning process, and administrators who have a primary responsibility of providing oversight in an institution of higher education.