

BP113

Conflicts of Interest

Reference: None
Adoption Date: January 2000
Last Revision Date: ~~January 2021~~ April 2022

For TRACS purposes, a conflict of interest includes, but is not limited to, having served for compensation during the prior three years as an employee of or consultant to an institution under consideration; being a stockholder or board member of the institution during the prior five years; or any other association or activity, including the appearance of a conflict of interest that an impartial person might reasonably conclude would compromise a person's capacity for objectively dealing with an issue concerning a particular institution.

This Conflicts of Interest policy applies appropriately to the following entities: (A) the Accreditation Commission (Board of Directors), (B) ~~Appeals Pool and~~ Appeal Committee Members, (C) Peer Evaluators (Evaluation Team ~~Members, and/or~~ Focus Team Members) ~~and IFYR Peer Reviewers~~, (D) TRACS Staff and other TRACS Representatives, and (E) Institutions. In the event of any unresolved issues regarding conflicts of interest involving any of the above entities, the matter will be settled by a majority vote of the Accreditation Commission using secret ballot.

A. Accreditation Commission

The TRACS Accreditation Commission serves not only as the primary decision-making body regarding policy and accreditation matters, but also as the TRACS Board of Directors.

In addition to the stipulations outlined in the general Conflict of Interest definition above, the following guidelines are applied to the Accreditation Commission when determining what constitutes a conflict of interest:

It is a conflict of interest for a member of the Accreditation Commission to have served as a Peer Evaluator, for an institution which is under consideration by the Accreditation Commission if the visit or review took place within five years of the Accreditation Commission meeting when the institution will be considered.

A member of the Accreditation Commission with a conflict of interest related to any institution or action being considered must decline an assignment as a reader, declare the conflict to the Chair of the Accreditation Commission, and recuse himself or herself from any discussion, deliberation, and vote concerning the institution or action under consideration.

If it is discovered after an Accreditation Commission action, that a situation involving a conflict of interest has significantly affected the action, the Chair of the Accreditation Commission may place the action on the Accreditation Commission agenda for reconsideration.

When an Accreditation Commission member is employed by, an appointee of, or a consultant to a member institution which is in any way involved in litigation with TRACS, the Accreditation Commission or both, it shall be a conflict of interest for that member to attend any meeting of the Accreditation Commission or the committees of the Accreditation Commission until the litigation is concluded, including all appeals.

~~New members of the Accreditation Commission receive training concerning conflicts of interest as a part of the overall training provided to new Commissioners and are required to sign a Nominee Conflict of Interest Form during the nomination process prior to election to the Commission. Additionally, all members of the Accreditation Commission are required to sign the Commissioner Acknowledgement and Verification Form, which includes a commitment to serve without conflicts of interest, prior to each meeting. (New members of the Accreditation Commission receive training concerning conflicts of interest as a part of the overall training provided to new Commissioners and are required to sign a "Conflict of Interest Form" upon their election to the Commission. Additionally, all members of the Accreditation Commission are required to sign a "Conflict of Interest Form" annually.~~

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A member of the Accreditation Commission may be removed from the Accreditation Commission by vote of that body if he or she knowingly violates this policy.

B. Appeal Committee Members

In addition to the stipulations outlined in the general Conflict of Interest definition above, the following guidelines are applied to Appeal Committee members:

Individuals with a conflict of interest related to any institution or action being appealed must decline an assignment as a member of an Appeal Committee.

When an individual is or has been employed by, an appointee of (e.g., a Board Member) or a consultant to a member institution which is in any way involved in litigation with TRACS or the Accreditation Commission or both, it shall be a conflict of interest for that individual to accept an assignment as an Appeal Committee member for the institution in question until the litigation is concluded, including all appeals.

It is a conflict of interest for a member of an Appeal Committee to have served as a Peer Evaluator, for an institution whose appeal will be considered by the Appeal Committee if the Peer Evaluator's review took place within five years of the Accreditation Commission meeting when the institution was placed on Adverse Action.

Upon ~~agreement agreeing~~ to serve as a member of an Appeal Committee which will hear the appeal of a specific institution, members receive training concerning conflicts of interest and are required to sign ~~and submit an "Conflict of Interest Form"~~ Appeal Committee Verification Form which includes conflicts of interest, specific to the appeal.

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~~When institutions that are appealing an Adverse Action by the Accreditation Commission are informed of the proposed Appeal Committee members that may be assigned to hear the institution's appeal, if the institution has reason to believe that any of the proposed members of the Appeal Committee would be unable to render an unbiased decision on the appeal, the institution will have seven days from the date it receives the names of the potential Appeal Committee members to request that any of the potential members be excluded from the Appeal Committee. The request for exclusion must state the specific reason(s) for the belief that the identified individual(s) would be unable to render an unbiased decision and must meet cite the criteria detailed in this policy which would disqualify the individual from serving on the Appeal Committee. the institution will notify TRACS that there are no known conflicts of interest with the individuals utilizing the "Conflict of Interest Form" provided by TRACS in accordance with TRACS Board Policy BP219.~~

If it is discovered after a decision by an Appeal Committee, that a situation involving a conflict of interest has significantly affected the decision, the Chair of the Accreditation Commission may place the matter on the Accreditation Commission agenda for consideration.

C. Peer Evaluators

In addition to the stipulations outlined in the general Conflict of Interest definition above, the following guidelines are applied to Peer Evaluators when determining what constitutes a

conflict of interest and whether or not a member of the Peer Evaluator Pool is eligible to serve as an Evaluation Team ~~Member or~~ Focus Team member ~~or as an IFYR Peer Reviewer~~:

TRACS staff shall not knowingly assign a person to serve as a Peer Evaluator if that person:

1. Within the last five years has been an appointee (e.g., a board member) or employee of the institution, or has been recently a candidate for employment at the institution.
2. Is a graduate of the institution.
3. Has any other impediment (such as serving as an employee, member of the governing board, owner, or shareholder of, or consultant to, an institution or program that either is accredited or pre-accredited by the agency or has applied for accreditation or pre-accreditation) to rendering an impartial, objective professional judgment regarding the institution, such as a close personal or familial relationship with persons at the institution or a strong bias regarding the institution.

TRACS staff relies on the personal and professional integrity of Peer Evaluators, expects them to be sensitive to potential conflicts of interests in the peer review process, and assumes they will act accordingly.

Peer Evaluators must not have served the institution undergoing review as a paid consultant within three years of the review.

A Peer Evaluator must not seek or accept employment from the institution undergoing review or serve it as a consultant for a period of one year following the review.

If it is discovered that a conflict of interest may have significantly affected the evaluation of an institution by a Peer Evaluator, either the TRACS President or the Chair of the Accreditation Commission (whichever is appropriate) may ask that a further evaluation of the institution be initiated to ensure an objective review.

As a part of the training required for inclusion in the Peer Evaluator Pool, individuals receive training concerning conflicts of interest. Upon agreement to serve as a member of either an Evaluation ~~Team, or~~ Focus Team ~~or as an IFYR Peer Reviewer~~, individuals sign a "Conflict of Interest Form" specific to the institution to be reviewed.

Any Peer Reviewer who knowingly violates this policy will be removed from the Peer Evaluator Pool.

D. TRACS Staff and Other TRACS Representatives

In addition to the stipulations outlined in the general Conflict of Interest definition above, the following guidelines are applied specifically to TRACS staff and other TRACS representatives with regards to conflicts of interest:

All TRACS staff members are committed to full disclosure and restraint in any institutional considerations involving a conflict of interest or the appearance of a conflict of interest. Staff members will not accept assignments to institutions and will recuse themselves from deliberations on decisions regarding institutions when they have a conflict of interest or when the appearance of a conflict of interest warrants such non-acceptance or recusal. Current staff members may not participate in private consultation with or engage in any other employment arrangement with any institution that maintains or is seeking candidate, accredited, or reaffirmation status from the Accreditation Commission.

Notice of any conflicts of interest, or situation that might be perceived as a conflict of interest, shall be provided to the President of TRACS. In the case where the conflict involves the President of TRACS, notice shall be given to the Chair of the Accreditation Commission.

TRACS staff receive training in matters concerning conflicts of interest as a part of their ongoing review of federal regulations, TRACS Standards, TRACS Policies and Procedures and in preparing conflict of interest training materials for other entities.

Any TRACS staff member who knowingly violates this policy is subject to disciplinary action deemed appropriate by the President of TRACS and/or the Accreditation Commission.

TRACS staff sign a "Conflict of Interest Form" annually.

The expectations outlined in this section apply to all TRACS staff as well as to any and all TRACS representatives.

E. Institutions

In addition to the stipulations outlined in the general Conflict of Interest definition above, the following guidelines are applied specifically to TRACS institutions with regards to conflicts of interest:

If in the course of any of its interactions with TRACS, an institution becomes aware of any potential conflicts of interest, it is the responsibility of the institution to report such potential conflicts to the President of TRACS.

When institutions are informed of any proposed Peer Evaluators assigned to the review of an institution (Evaluation Team ~~members, or~~ Focus Team members ~~or IFYR Peer Evaluators~~) the institution will notify TRACS that there are no known conflicts of interest with the individuals utilizing the "Conflict of Interest Form" provided by TRACS.

When institutions that are appealing an action by the Accreditation Commission are informed of the proposed Appeals Committee members assigned to hear the institution's appeal, the institution will have seven days from the date it receives the names of the potential Appeal Committee members to request that any of the potential members be excluded from the Appeal Committee.~~the institution will notify TRACS that there are no known conflicts of interest with the individuals utilizing the "Conflict of Interest Form" provided by TRACS in accordance with TRACS Board Policy – BP219.~~

BP204

Staff Visits

Reference: Various References Noted in Policy

Adoption Date: April 2022

Last Revision Date: N/A

For the purpose of this policy, a staff visit is defined as either (1) an on-site and in-person visit conducted by a member of the TRACS staff to an institution or one of its or instructional locations, (2) an on-site and in-person visit conducted by a member of the TRACS staff with an institution's personnel at any location outside of the institution's campus(s) for the purpose of conducting official TRACS business as it relates to that institution, or (3) a virtual visit (utilizing teleconferencing technology) conducted by a member of the TRACS staff with institutional personnel for the purpose of conducting official TRACS business as it relates to that institution.

Federally Required Staff Visits

Federal Regulations require TRACS to conduct on-site, in-person staff visits in the following instances:

- To institutions seeking Candidate status, Accredited status, or Reaffirmation of Accredited status. §602.15(b)(1) and §602.17(e) – TRACS utilizes staff-accompanied Evaluation Team Visits to fulfill this requirement.
- To institutions, Branch Campuses, or Teaching Sites that serve as a teach-out location for students of another institution that has ceased to operate before all students have completed their course of study. §602.22(d)/(a)(1)(ii)(H) – TRACS utilizes staff visits and / or staff-accompanied Focus Team Visits to fulfill this requirement.
- To an approved Branch Campus within at least 6 months of the establishment of that Branch Campus. §602.22(d)/(a)(1)(ii)(I) – TRACS utilizes staff visits and / or staff-accompanied Focus Team Visits to fulfill this requirement.
- To institutions that have undergone a change of ownership within at least 6 months of the effective date of that change in ownership. §602.24(b) – TRACS utilizes staff visits and / or staff-accompanied Focus Team Visits to fulfill this requirement.

Any exceptions to these federally mandated on-site, in-person staff visit requirements will be provided to TRACS by the U.S. Department of Education or other appropriate entities and will be observed, as applicable, by TRACS.

TRACS Policy / Procedures Required Staff Visits

TRACS Policies / Procedures require staff visits in the following instances:

- To institutions that have submitted a Self-Study Proposal prior to engaging in the Self-Study process. (see TRACS publication *Steps Toward Accreditation*)
- Institutions that have submitted an Institutional Change Form where the proposed change specifically requires either a staff visit or a staff-accompanied Focus Team Visit. (see TRACS Policy BP226)

Optional Staff Visits

TRACS Policies / Procedures may require, at the discretion of the President of TRACS or the TRACS Accreditation Commission, staff visits in the following instances:

- To institutions that are under either an Institutional Staff Review or Institutional Staff Review-Financial. (see *TRACS Policy BP207*)
- Institutions that have submitted an Institutional Change Form where the proposed change may, at the discretion of the President of TRACS or the TRACS Accreditation Commission, require either a staff visit or a staff-accompanied Focus Team Visit. (see *TRACS Policy BP226*)

TRACS staff may conduct staff visits in the following instances:

- To institutions that have submitted documentation pertaining to the Interim Fifth-Year Review process if compliance cannot be verified otherwise. (see *TRACS Policy BP310*)
- To institutions participating in the Application Orientation when the institution requests that the orientation session take place on the institution's campus.
- To institutions requesting staff consultation on any matter.
- To institutions (announced or unannounced) for any reason deemed appropriate by either the TRACS Accreditation Commission, the President of TRACS, or TRACS staff, (see *TRACS Policy BP118*)

Methodology for Conducting Staff Visits

In an effort to prevent institutions from incurring unnecessary expenses for staff or staff-accompanied Focus Team member travel, accommodations, meals, etc., and to maximize staff time in the TRACS office, unless otherwise prescribed by Federal Regulations, the preferred methodology for conducting staff visits (including staff-accompanied Focus Team Visits when applicable) shall be virtual visits utilizing teleconferencing technology.

As is the case with on-site and in-person visits, virtual visits allow for the interviewing of necessary personnel at the institution being visited and for the examination of relevant documents which may not have been submitted and reviewed prior to the virtual visit.

TRACS reserves the right to conduct on-site, in-person visits to institutions and / or any remote instructional sites (Branch Campuses or Teaching Sites) operated by the institution as deemed necessary and appropriate or if it is determined that the business to be conducted cannot be adequately accomplished virtually.

Documentation Associated With Staff Visits

Any documentation associated with a staff visit or staff-accompanied Focus Team Visit which is to be reviewed and considered as a part of that visit may be submitted (electronically or otherwise) to the TRACS staff member and the Focus-Team member (if applicable) prior to any visit (whether conducted on-site and in-person or virtually) to ensure a thorough review prior to the conducting of the visit.

All staff visits, regardless of the methodology utilized for conducting the visit, (on-site and in-person or virtual) and any process whereby the TRACS staff officially interacts with a TRACS member institution or an institution seeking membership with TRACS, should be placed on the TRACS master calendar to ensure an accurate accounting of all official staff visits and interactions.

Expense Reports Following Staff Visits

Regardless of the methodology utilized for conducting staff visits, (on-site and in-person or virtual), the staff member conducting the visit shall, at the conclusion of the visit, submit an expense report to the TRACS business office to ensure that all visit related expenses are accounted for.

All staff visits, whether conducted on-site and in-person or virtually (with the exception of a staff visit involving an Application Orientation) shall incur the appropriate staff visit fee specified on the current TRACS fee schedule. This staff visit fee should be noted on the expense report submitted to the TRACS business office.

Regardless of the methodology utilized for conducting staff visits, (on-site and in-person or virtual), the institution being visited shall incur all expenses related to the TRACS business associated with the staff visit.

BP206

Monitoring Student Achievement

Reference: §602.16(a)(1)i None

Adoption Date: July 2012

Last Revision Date: April 2022 April 2019

Rationale for Monitoring Student Achievement

TRACS requires member institutions to collect and analyze retention rates for Associate and Bachelor programs and graduation rates for Bachelor programs.

Additionally, member institutions are required to collect and analyze, as appropriate to the institution's mission and program specific expectations, course completion rates for Certificate and Associate programs, job placement rates, transfer rates, pass rates for state or other licensing examinations and other appropriate measures,

Member institutions are required to submit the applicable student achievement data / rates to the TRACS office as a part of Annual Operational Report (AOR).

This policy provides a framework for how TRACS staff will monitoring the institution's student achievement results. ~~assessment as it relates to the collecting and reporting of this data, undergraduate retention rates, completion rates, and graduation rates.~~

The ~~E~~establishment of the ~~benchmarks thresholds~~ listed below and the use of ~~these benchmarks~~ for monitoring, and as appropriate for ~~as a~~ follow up with the institution, are founded on the following rationale:

1. The ~~listed~~ benchmarks ~~noted below~~ are based on nationally recognized norms including those used by ~~regional accreditors (C-RAC) and other~~ accrediting agencies recognized by the US Department of Education.
2. Remediation ~~of~~ for student achievement results which fall below these established ~~benchmarks completion, retention, and graduation rates~~ necessitates a period of time (generally three to six years) for the effect of implemented changes to demonstrate clear results.

Monitoring the Achievement of Benchmarks Thresholds

The ~~monitoring of institutional success in meeting expectations specified benchmarks with regard to student outcomes~~ will be initiated based on ~~institutional the~~ data / rates submitted as part of ~~the institutionally submitted AOR process Annual Operational Reports.~~

Rates should be calculated using the standard cohort definition provided in the ~~AOR instructions-report~~, which will be (or ~~will~~ approximate) IPEDS definitions.

Staff monitoring ~~and follow up (as necessary)~~ in these areas will be ~~based on triggered by~~ the following ~~benchmarks: rates:~~

REQUIRED

Retention Rates

- Less than a 35% retention rate for Associate programs
- Less than a 50% retention rate for Bachelor programs

Graduation Rates

- Less than a 25% graduation rate for Bachelor programs

OPTIONAL (as appropriate to the institution's mission and program specific expectations)

Course Completion Rates

- Less than a 25% course completion rate for Certificate programs
- Less than a 15% course completion rate for Associate programs

Job Placement Rates, Transfer Rates, Pass Rates for State / Other Licensing Examinations

- No benchmark rates have been established by TRACS.

Required Remediation Institutional Action Plan Submitted to TRACS Staff

TRACS staff will work with institutions that fail to meet the above noted benchmarks to ensure that the institution develops and implements a **remediation** plan to address **any rates which fall below the established benchmark** ~~the rate under review~~. The plan should be based on research and adhere to best practices and may consider the following components:

1. The relationship of the rate in question to the mission of the institution and in particular to the profile of the student cohort in question,
2. Programmatic data,
3. A three-year average of rates,
4. Comparison studies with peer institutions,
5. Demonstration that a quantifiable plan has been implemented including intermediate goals,
6. Demonstration that internal results are reviewed by the reporting institution and result in action,
7. Evidence that progress has been made including but not limited to,
 - a. Enrollment management plan
 - b. Student Success Services
 - c. Suspension and warning trends
 - d. Departmental Action plans
 - e. Academic Advising policies and procedures
 - f. Student Surveys
 - g. Retention Rates
8. Evidence that an alternate definition of the retention, completion, or graduation rate is significant for the institution (for example, inclusion of transfer students or separation of a unique program from the institutional rate)

Once a plan for remediation has been submitted, the institution will be allowed adequate time for the plan to prove effective. Generally, adequate time will be based on the degree category in question and will normally be three to six years to allow for a full student cohort to complete a plan cycle.

However, failure to submit a satisfactory remediation plan or failure to demonstrate progress in meeting plan goals will result in the President of TRACS initiating an Institutional Staff Review (ISR) as detailed in BP207. The ISR procedure is used when there is evidence that an institution may be out of compliance with a TRACS Accreditation Standard and/or policy requirement.

Suggested **editorial revision** to Standard 17.11 based on the proposed revisions to this policy.

- 17.1 **Student Achievement: The institution's assessment of student achievement includes, at a minimum, the collection and analyzation of retention rates for Associate and Bachelor programs and graduation rates for Bachelor programs, and, as appropriate to its mission and program specific expectations, the collection and analyzation of course completion rates for Certificate and Associate programs, job placement rates, transfer rates, ~~outcomes regarding~~ pass rates for state or other licensing examinations, and other appropriate measures. Student achievement information is made available to the public on the institution's website and/or via other appropriate means in an easily accessible and understood format. (IER) - §602.16(a)(1)i**

BP219

Appeals

Reference: None
Adoption Date: June 2000
Last Revision Date: ~~January 2021~~ April 2022

An appeal is defined as a request for an independent reconsideration of an Adverse Action (as defined in TRACS Policy *BP211*) of the Accreditation Commission. An institution may make only one appeal to such Adverse Actions. Sanctions (as defined in TRACS Policy *BP211*) are not appealable. When the Accreditation Commission takes an Adverse Action against an institution, the President of TRACS shall include a copy of this policy with the written notification of the Accreditation Commission's action. Throughout the appeal process, the institution filing the appeal bears the burden of proof.

A. Grounds for an Appeal

1. An institution may base its appeal on grounds that the action of the Accreditation Commission was:
 - a. Based on misinformation;
 - b. Based on factual error;
 - c. Based on bias;
 - d. Arbitrary;
 - e. The result of the Accreditation Commission's failure to follow its published procedures; or
 - f. Based solely on financial information and the institution is able to produce verified information that the financial problems which led to the adverse action have been corrected
2. An appeal based on a ground not identified under item 1 above will not be considered.

B. Filing an Appeal

1. An institution's appeal must be authorized by its governing board as demonstrated in board minutes.
2. The request must be received by the President of TRACS within fourteen days of the date the institution received official notification of the adverse action.
3. The request for an appeal must include payment in full for all outstanding fees and reimbursements due to TRACS and a non-refundable fee in the amount of \$15,000.
 - a. A request for an appeal without payment in full for all outstanding fees and reimbursements due to TRACS and a check for \$15,000 will be considered insufficient and will not be processed unless such payment is received within the fourteen-day deadline.

- b. If payment in full for all outstanding fees and reimbursements due to TRACS and a check for \$15,000 is not received within the fourteen-day deadline, the institution will be deemed to have waived its right to an appeal and the Adverse Action taken by the Accreditation Commission will become final.
- 4. The request for an appeal must state specifically the action which is being appealed and the specific grounds (A., 1. a. - f.) for the appeal. The request for an appeal may not be amended after the deadline for its receipt by TRACS.
- 5. The institution must identify any dates when its Chief Executive Officer or his/her designee would not be available to appear before an Appeal Committee.

The appeal process will follow the steps outlined below (C. through M.).

C. Composition of the Appeal Committee

Upon the receipt of an appropriately filed appeal, the President of TRACS shall assemble an Appeal Committee (process described in section D of this policy) to hear and render a decision regarding the appeal. An Appeal Committee shall consist of five members, with at least one member of the Committee from each of the following categories: (1) a representative of the public, (2) a faculty member from either a member or non-member institution, and (3) an administrator from either a member or non-member institution.

TRACS defines a representative of the public as an individual who is not (1) an employee, member of the governing board, owner, or shareholder of, or consultant to, an institution or program that either is accredited or pre-accredited by TRACS or has applied for accreditation or pre-accreditation with TRACS, (2) a member of any trade association or membership organization related to, affiliated with, or associated with TRACS; or (3) a spouse, parent, child, or sibling of an individual identified in section (1) or (2) of this definition.

Current members of the Accreditation Commission may not serve on an Appeal Committee.

Appeal Committee members must free from Conflicts of Interest, as defined by the TRACS Conflict of Interest Policy (BP113), in order to qualify for service on an Appeal Committee.

D. Process for the Selection of Appeal Committee Members

1. Within fourteen days of the date TRACS receives a notice of appeal, the President of TRACS shall provide to the institution the names and affiliations of nine potential Appeal Committee members, including at least two specified as public representatives, at least two specified as faculty members, and at least two specified as administrators. In order to confirm that potential Appeal Committee Members are qualified to serve in their assigned roles, potential member will be vetted using the Review Worksheet for the Selection of Potential Appeal Committee Members.

2. If the institution has reason to believe that any of the proposed members of the Appeal Committee would be unable to render an unbiased decision on the appeal, the institution will have seven days from the date it receives the names of the potential Appeal Committee members to request that any of the potential members be excluded from the Appeal Committee. The request for exclusion must state the specific reason(s) for the

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belief that the identified individual(s) would be unable to render an unbiased decision and must ~~meet~~cite the criteria detailed in the TRACS Conflict of Interest Policy- (BP113) which would disqualify the individual from serving on the Appeal Committee.

~~2.3.~~ The President of TRACS shall review any request to exclude a proposed member of the Appeal Committee and evaluate that request against the TRACS conflict of interest policy, BP113 - Conflicts of Interest.

- a. If the President of TRACS accepts the institution's request to exclude a potential member, that person will not serve on the Appeal Committee.
- b. If at least five potential members remain, the President of TRACS shall select the five who will serve on the Appeal Committee and appoint a Chair from among those members.
- c. If fewer than five potential members remain, the President of TRACS shall identify additional potential members of the Appeal Committee and present those potential members to the institution for consideration.
- d. The procedures detailed above will be used with additional potential members of the Appeal Committee
- e. The President of TRACS shall follow the procedures in this section until there are five members of the Appeal Committee, including at least one member who represents the public, one member who is a faculty member, and one who is an administrator.
- f. If the President of TRACS does not honor an institution's request to exclude a potential member of the Appeal Committee, the President of TRACS shall provide a written explanation for that decision to the institution. Such a decision is not appealable.

4. Once the Appeal Committee roster has been finalized, the members shall receive detailed training specific to the appeal before the appeal process begins. This training will include information regarding TRACS appeals policies, procedures, TRACS Accreditation Standards, conflicts of interest, confidentiality, and the role of a member of an Appeal Committee. All members of an Appeal Committee will sign and submit an Appeal Committee Member Verification Form after the training is complete and before hearing the appeal. This form is used to verify that the Appeal Committee has participated in the training, that he / she agrees to serve on the Appeal Committee, that he / she is doing so without a conflict of interest, and that he / she will abide by confidentiality expectations.

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~~D.E.~~ Institutional Documentation

1. All supporting documentation which the institution wishes to have considered by the Appeal Committee must be submitted within sixty days of the date the institution received notice from the President of TRACS of the Adverse Action. The documentation must clearly show its relevance to the specific grounds for the appeal.
2. Only documentation of actions completed by this deadline will be presented for consideration in the appeal. Actions which are proposed to occur or will be completed after this deadline will not be considered in the appeal.
3. The documentation for each action completed must clearly state whether the institution's actions occurred before or after the Adverse Action was imposed.

E.F. Time and Location of Meeting with the Appeal Committee

1. The President of TRACS will select a date for the meeting that is at least thirty days, but no more than sixty days from the last day the institution has to submit its documentation.
2. The date selected for the meeting shall not be a date identified in the notice of appeal as one when the Chief Executive Officer of the institution or his/her designee cannot be ~~present, unless~~ present unless there is no alternative available within the required timeframe.
3. The meeting will be scheduled for one day, with the members scheduled to arrive the day before the meeting and leave the day after the meeting.
4. The President of TRACS shall select a venue for the meeting which minimizes the institution's expenses.
5. At the discretion of TRACS, the institution involved in the appeal, and the members of the Appeal Committee, appeals may be conducted via teleconference or other similar technology.

F.G. Procedures of Appeal Committees

1. The Chair of the Appeal Committee shall preside at the meeting of the Appeal Committee and make rulings regarding time limits; ~~z~~ admissibility of evidence, and procedural matters.
2. Appeal Committee meetings are closed to the public.
3. The institution may have no more than six individuals present, one of whom is the Chief Executive Officer or his/her designee, and all who are present must be able to speak to the grounds for the appeal. No consultants may be present.
4. The institution may be represented by counsel and counsel may participate in the institution's presentation.
5. TRACS may have no more than six individuals present, other than the members of the Appeal Committee, and all who are present must be able to speak to the grounds for the adverse action.
6. TRACS may be represented by counsel and counsel may participate in TRACS presentation.
7. Presentations:
 - a. The institution will make a presentation of no more than one hour and will be heard first followed by questions from the Appeal Committee.
 - b. TRACS will make a presentation of no more than one hour followed by questions from the Appeal Committee.
 - c. Counsel for the institution or TRACS may present or assist in the presentations.
 - d. Only the representatives of the institution are to be present in the hearing during the institution's presentation and only TRACS representatives are to be present in the hearing during the presentation by TRACS.
8. Appeals are administrative hearings and thus not subject to the rules of evidence and procedure.

9. The institution may not challenge the competency of members of the Appeal Committee.
10. Only members of the Appeal Committee may ask questions.
- ~~11. The Appeal Committee will record the proceedings when the institution is present, but not during its proceedings with TRACS or during its consideration and discussions regarding evidence and not when voting. The institution may request a copy of the recorded proceedings, with any cost associated with the request included in its costs for filing the appeal.~~
- ~~11. The Appeal Committee will record the proceedings when the institution is present before the Appeal Committee, but not when TRACS is present before the Appeal Committee or during its consideration and discussions regarding evidence and not when voting on a decision regarding the appeal. TRACS will provide a copy of this recording to the institution upon request.~~

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G.H. Decision of the Appeal Committee

1. The Appeal Committee shall consider the evidence presented after the representatives of the institution and TRACS have been excused.
2. The Appeal Committee shall review the evidence of the institution's compliance with TRACS Standards as of the time the Accreditation Commission imposed the Adverse Action and any evidence that the institution has come into compliance TRACS Standards up to the deadline for submission of institutional documentation.
3. The Appeal Committee shall give no weight to evidence which demonstrates partial compliance with TRACS ~~standards~~ Standards, or which indicates that compliance may occur after the deadline for submission of institutional documentation.
4. All decisions made by the Appeal Committee shall be reached by majority vote of its members ~~and shall be reflected on the Appeal Committee Decision Form.~~
5. The Appeal Committee shall affirm the decision of the Accreditation Commission if it finds the institution has not demonstrated, as appropriate to the appeal that the action of the Accreditation Commission was ~~not based on the reason(s) cited in the appeal.:~~
 - ~~a. Based on misinformation;~~
 - ~~b. Based on factual error;~~
 - ~~c. Based on bias;~~
 - ~~d. Arbitrary;~~
 - ~~e. The result of the Accreditation Commission's failure to follow its published procedures; or~~
 - ~~f. Based solely on financial information and the institution is able to produce verified information that the financial problems which led to the adverse action have been corrected.~~
6. If the Appeal Committee finds the institution has demonstrated, as appropriate to the appeal, that the action of the Accreditation Commission was based on ~~one of the factors noted in C, 5, a-f above, and in the case of a decision based solely on financial information (f), the Accreditation Commission would not have issued an Adverse Action if the subsequently produced information had been available to the Accreditation Commission;~~ the reason(s) cited in the appeal, the Appeal Committee shall amend or reverse the decision of the Accreditation Commission. In such cases, an applicant institution which was denied Candide status by the Accreditation Commission must be found to be in compliance with all Institutional Eligibility

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Requirements (IERs) if the Appeals Committee chooses to amend or reverse the decision of the Accreditation Commission.

7. If the Appeal Committee, based on the information available, determines that it is unable to affirm, amend, or reverse the decision of the Accreditation Commission or that an Applicant institution is not in compliance with all IERs, it shall remand the decision to the Accreditation Commission for further consideration. In doing so, the Appeal Committee shall identify specific issues that the Accreditation Commission must ~~address~~consider.
8. The Appeal Committee shall forward its ~~findings and final~~ decision regarding the appeal to the President of TRACS, the institution's Chief Executive Officer, and the Chair of the institution's governing board within fourteen days of the date of the hearing. This notice shall be sent by electronic means, ~~Express Mail~~ or its equivalent.

H.I. Effect of the Appeal Committee's Decision

1. The decision of the Appeal Committee is final and not subject to further appeal.
2. The Accreditation Commission shall act in a manner which is consistent with the decision of the Appeal Committee.
3. If the Appeal Committee affirms the decision of the Accreditation Commission, the Adverse Action imposed by the Accreditation Commission is in effect as of the date of the Appeal Committee's notice to the institution.
4. If the Appeal Committee reverses the decision of the Accreditation Commission, the institution shall maintain the accreditation status held by the institution before the Adverse Action was imposed by the Accreditation Commission.
5. If the Appeal Committee amends the decision of the Accreditation Commission, the Accreditation Commission shall act on the decision at its first meeting following the notice of amendment and apply the amended adverse action as of the date of that meeting.
6. If the Appeal Committee remands the decision of the Accreditation Commission back to the Accreditation Commission for further consideration, the Accreditation Commission shall consider the specific issues identified by the Appeal Committee at its first meeting following the notice of remand. The Accreditation Commission shall then appropriately notify the institution of its final decision regarding the institution's status.

H.J. Costs of an Appeal

1. If TRACS costs of the appeal exceed the \$15,000 fee paid by the institution, TRACS shall provide the institution with a statement of the amount of the additional costs. The institution is to pay these costs within thirty days of receiving the statement.
2. The institution shall be responsible for its own costs associated with the appeal.

H.K. Withdrawal of Appeal.

1. An institution may withdraw its request for an appeal at any time up to the start of the appeal hearing.
2. The institution's governing board must authorize such a request.
3. If the institution withdraws its request after the fourteen-day limit for filing an appeal has passed, the institution will not be able to refile the appeal and the Adverse Action

being appealed will continue in force as a final decision with the effective date being the date of the written notice withdrawing the appeal.

4. If the institution withdraws its appeal it will be liable for any expenses already incurred by TRACS for the process to that point.

K.L. Computation of Time

1. The counting of days begins on the day after the triggering event.
2. If the last day allowed for a response is a Saturday, Sunday, or legal holiday, the next business day will be deemed to be the last day.

L.M. Notifications

1. Any notice that the TRACS President sends to an institution regarding an appeal shall be sent either electronically with response requested or by any delivery method that requires a signature upon delivery.
2. The date any representative of the institution signs accepting delivery of the notice is deemed to be the date of notification.
3. Institutional replies should be sent either electronically with response requested or by any delivery method that requires a signature upon delivery.
4. The date a representative of TRACS signs the return receipt shall be deemed the date of notification.

M.N. Institutional Status During Appeal and Public Notice

1. During the appeal, the appealing institution shall maintain the status it held with TRACS prior to the Adverse Action.
2. Inquiries regarding the accreditation status of an institution which has filed an appeal shall be answered by explaining the Adverse Action the Accreditation Commission took against the institution and that the institution is appealing that action.
3. Public notice of an Adverse Action, in accord with TRACS policy, shall be made once an appeal is withdrawn or the Appeal Committee has issued its decision.

BP306

Peer Evaluators

Reference: None

Adoption Date: June 2000

Last Revision Date: April ~~2019~~2022

To ensure objective assessment of institutional compliance with TRACS Accreditation Standards in various situations, TRACS utilizes peer evaluators ~~(A) on Evaluation and Focus Teams, (B) on Focus Teams, and (C) as Peer Reviewers for Institutions participating in the Interim Fifth-Year Review (IFYR) process.~~ Evaluation and Focus Team members, ~~Focus Team members and/or IFYR Peer Reviewers~~ are selected and appropriately assigned areas of review from a pool (Peer Evaluator Pool) of carefully screened individuals.

Before being placed in the Peer Evaluator Pool and thus become eligible to serve as a member of an Evaluation ~~Team, a member of or a~~ Focus Team, ~~or as an IFYR Peer Reviewer,~~ individuals are required to ~~either attend a Peer Evaluator Training workshop or complete the Peer Evaluator Training workshop available on the TRACS website.~~ Additionally, These workshops are conducted at each TRACS Annual Conference. TRACS staff may provide other training workshops as needed.

As part of the training, each participant becomes thoroughly familiar with the contents of the *Accreditation Manual, Benchmarks for Excellence, Resource Manual, and the Evaluation Team Procedures Manual* and other relevant publications. After completing training, the individual submits to the TRACS office all required documentation (*Peer Evaluator Information Form* and Resume/CV) which serves as the criteria for determining the level of expertise for each of the Standards/areas to be reviewed. TRACS staff review the qualifications for each individual who participates in the training and submits the required documentation to identify the areas for which education and experience is documented and to approve the individual for inclusion in the Peer Evaluator Pool.

Individuals found to have education, experience, and/or expertise in Distance Education (DE) and who desire to serve as evaluators in these areas are required to complete the TRACS training for Distance Education evaluators in addition to the general training referenced above. This training is conducted by TRACS staff as needed utilizing the TRACS produced *Distance Education Peer Evaluator Training Manual.*

A. Evaluation Teams

Evaluation Teams are utilized in the review of an institution's level of compliance with TRACS Standards as a part of the institution's involvement in the Self-Study process and in conjunction with a certain accreditation status being sought by the institution.

At the appropriate time in the process, the Evaluation Team is formed. The team will vary in size depending on the institution to be evaluated and the type of visit to be conducted. Evaluation Teams generally include at least five peer evaluators (made up of professionals, administrative personnel, academic personnel, educators, and faculty members), including a team chair. If the institution to be reviewed offers Distance Education, an individual with expertise in this area and who has participated in the specific training will be assigned to the team to provide evaluation specific to this area. A staff representative acts as a resource to the team for each visit. TRACS Accreditation Commission members may not serve on Evaluation Teams.

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Each Evaluation Team member and the institution must indicate that there are no known conflicts of interest that exist between the team members and the institution before the team roster is finalized. This is accomplished by the submission of forms supplied to all parties by TRACS.

Complete details regarding Evaluation Teams and the process in which they are involved, can be found in the TRACS publication, *Evaluation Team Procedures Manual*.

B. Focus Teams

Focus Teams are utilized in the review of an institution's level of compliance with TRACS [Accreditation](#) Standards when an institution files an Institutional Change [proposal](#) with TRACS and when the proposed change requires not only the review of TRACS staff, but also that of a Peer Evaluator(s) with expertise in the area(s) to be reviewed. As required, Focus Teams may be utilized to evaluate institutional compliance with TRACS Standards in matters that do not necessarily relate to an Institutional Change [Proposal](#), but may involve situations where institutional compliance in specific areas needs to be verified. Generally, Focus Teams are smaller in number than Evaluation Teams and will be made up of professionals, administrative personnel, academic personnel, educators, and faculty members as appropriate. Focus Teams will maintain specific focus, based upon the particular area(s) to be reviewed. A staff representative acts as a resource to the team for each visit. TRACS Accreditation Commission members may not serve on Focus Teams.

Each Focus Team member and the institution must indicate that there are no known conflicts of interest that exist between the team members and the institution before the team roster is finalized. This is accomplished by the submission of forms supplied to all parties by TRACS.

C. ~~IFYR Peer Reviewers~~

~~IFYR Peer Reviewers are utilized as independent assessors of documentation submitted to TRACS by institutions that are participating in the IFYR process. IFYR Peer Reviewers will be professionals, administrative personnel, academic personnel, educators, or faculty members. Accreditation Commission members may not serve as IFYR Peer Reviewers.~~

~~TRACS institutions that have been granted a ten year reaffirmation status are required to participate in the IFYR process which includes the submission of an Interim Fifth Year Review Report (IFYRR). This process occurs during the fifth year of the institution's ten year reaffirmation status. The following components constitute the IFYRR: (1) the completed Interim Fifth Year Review Form, and (2) documentation in support of the data reported by the institution on the Interim Fifth Year Review Form. The IFYRR focuses on data compiled from the outcomes of assessment procedures which demonstrates the institution is accomplishing its stated mission. The accreditation status of the institution continues during this process.~~

~~The IFYR includes four phases 1) Self evaluation and self rating by the institution using the Interim Fifth Year Review Form, 2) Submission of documentation by the institution in support of each self rating on the Interim Fifth Year Review Form, 3) A review of the institution's IFYRR by two independent IFYR Peer Reviewers, and 4) A staff visit to the institution for staff review and discussion of concerns raised by the Peer Reviewers and clarification on ways that the institution can address areas of concern prior to their preparation for the next reaffirmation cycle.~~

~~Each IFYR Peer Reviewer and the institution must indicate that there are no known conflicts of interest that exist between the reviewer and the institution before the details of the review are finalized. This is accomplished by the submission of forms supplied to all parties by TRACS.~~

~~Complete details regarding IFYR Peer Reviewers and the processes in which they are~~

involved, can be found in the TRACS publication, *Interim Fifth Year Review: Peer Reviewer Training Manual*.

D.C. _____ Criteria for the Selection of Peer Evaluator Pool Members

The following factors are considered when determining the suitability of an individual to be placed in the Peer Evaluator Pool and are utilized when selecting and assigning specific areas of review to Evaluation Team and/or Focus Team members, ~~Focus Team Members and/or IFYR Peer Reviewers~~.

1. Governance / Administrative Evaluator: Minimum of three years of experience in program or institutional leadership as a senior administrator (CEO, executive vice president, chief academic officer, division director, institutional effectiveness/assessment director, or other cabinet-level administrator) in a postsecondary institution, master's degree in an appropriate academic or professional discipline (doctorate preferred, required for graduate level evaluators), completion of applicable TRACS training.
2. Academic Evaluator: Minimum of three years of experience as an educator engaged in academic leadership (provost, academic dean, assistant provost/dean, academic division director, program director, registrar) in a postsecondary institution, master's degree in an appropriate academic or professional discipline (doctorate preferred, required for graduate level evaluators), completion of applicable TRACS training.
3. Student Services Evaluator: Minimum of three years of experience in student affairs, student life, student services, or student ministry leadership in a postsecondary institution, master's degree in an appropriate academic or professional discipline (doctorate preferred, required for graduate level evaluators), completion of applicable TRACS training.
4. Finance/Business Evaluator: Minimum of three years of experience in institutional finance or business affairs (CFO, vice president of finance, director of business affairs) in a postsecondary institution or corporation, business degree, completion of applicable TRACS training.
5. Library / Learning Resources Evaluator: Minimum of three years of experience in librarianship in a postsecondary institution, library science degree (MLS/MLIS), completion of applicable TRACS training.
6. Faculty Evaluator: Minimum of three years of teaching or research experience in a postsecondary institution, master's degree in an appropriate academic or professional discipline (doctorate preferred, required for graduate level evaluators), completion of applicable TRACS training.
7. Distance Education Evaluator: Minimum of three years of experience teaching distance education courses, developing distance education curriculum, and/or administrating a distance education program in a postsecondary institution; master's degree in an appropriate academic or professional discipline (doctorate preferred, required for graduate level evaluators); completion of applicable TRACS training.
8. Assessment / Institutional Effectiveness Evaluator: Minimum of three years of experience in assessment of student learning, institutional effectiveness, and planning in a postsecondary institution; master's degree in an appropriate academic or professional discipline (doctorate preferred); completion of applicable TRACS training.

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BP310

Interim Fifth-Year Review

Reference: None
 Adoption Date: December 2015
 Last Revision Date: ~~December 2015, January 2022~~ April 2022

TRACS institutions that have been granted a ten-year reaffirmation of their Accredited status are required to participate in ~~the an~~ Interim Fifth-Year Review (IFYR) ~~process~~ which includes the completion and submission of an *Interim Fifth-Year Review Compliance Checklist* and supporting documents. The IFYR focuses on the TRACS *Institutional Eligibility Requirements* (IERS) and occurs during the fifth year of the institution's reaffirmation status.

The *Interim Fifth-Year Review Compliance Checklist* will be completed and submitted utilizing EdVera, the TRACS on-line document submission ~~portal~~ platform, and will consist of a narrative addressing the institution's compliance with the IERS along with documentation supporting each compliance narrative.

The deadline for the submission of the *Interim Fifth-Year Review Compliance Checklist* and supporting documentation is July 1st (or by the first business day of the month if July 1st falls on a Saturday or Sunday)

The IFYR process involves the following steps:

1. In January of the year in which the institution's IFYR occurs, TRACS notifies the institution and provides the necessary instructions and guidance.
- ~~1-2.~~ The institution completes and submits the *Interim Fifth-Year Review Compliance Checklist* and supporting documentation via the EdVera platform by the deadline.
 - a. The institution should ensure that irrelevant personal information has been redacted from supporting documentation.
 - b. The payment of the appropriate *Interim Fifth-Year Review* fee (according to the current *Fee Schedule*) will be processed as a part of the EdVera submission process.
- ~~2-3.~~ Once the *Interim Fifth-Year Review Compliance Checklist* and supporting documentation have been submitted, TRACS staff will review the narratives and supporting documents and make a determination regarding the institution's compliance with the IERS.
- ~~3-4.~~ TRACS staff will then contact the institution, via EdVera comments, to convey initial staff determinations and, as appropriate, will request clarifications and / or additional supporting documentation if compliance could not be verified with the initial submissions.
- ~~4-5.~~ This process of staff reviews and follow-up responses from the institution will continue until the institution has demonstrated compliance with all of the IERS, with the date for demonstrating such compliance not to extend beyond February 15th of the year following the initiation of the IFYR.
6. Once compliance with all of the IERS has been determined, staff will write a ~~staff~~ report and recommendation regarding the totality of the IFYR process for consideration by the Accreditation Commission at their April meeting in the year following the initiation of the IFYR.

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