



Commission on Colleges
Southern Association of Colleges and Schools
1866 Southern Lane
Decatur, Georgia 30033-4097

THE RESPONSIBILITIES AND ETHICAL OBLIGATIONS OF COMMISSIONERS

- Policy Statement -

ETHICAL OBLIGATIONS OF COMMISSIONERS

Integrity, essential to the purpose of higher education, functions as the basic contract defining the relationship between the Commission and each of its member institutions. It is a relationship in which all parties agree to deal honestly and openly with their constituents and with one another. Without this commitment, no relationship can exist or be sustained between the Commission and its member institutions. The Commission's requirements, policies, processes, procedures, and decisions are predicated on integrity. (*Principles of Accreditation*, p. 5)

Accreditation is self-regulation and is based upon a peer review process that requires institutional representatives from all degree levels to review institutions and to make decisions about their accreditation status. In order to maintain the credibility of those decisions, not only must the Commission hold institutions accountable for integrity governing all aspects of their operations, but also must insure that elected Commissioners responsible for making accreditation decisions maintain the highest level of integrity in all matters dealing with the decision-making process of the Commission and in matters dealing with their own institutions. Integrity of the process mandates at least the following ethical obligations and understandings.

Obligations to other Commissioners and to Staff

Commissioners work with other Commissioners and Commission staff members to arrive at professional decisions regarding the accreditation status of institutions.

The process for the determination of an institution's compliance with accreditation standards requires the professional judgment of Commissioners that involves a collective analysis, informed review, and a reasoned decision. It is the *collective* professional judgment of Commissioners that determines the accreditation status of an institution. Commissioners have an obligation to represent all decisions as those of the total Commission and not those of particular individuals or groups. When making this collective decision, it is paramount that Commissioners provide for each other an environment that supports a candid exchange of ideas, an opportunity for all opinions to be considered, a respect for individual differences and honest dissent, and a commitment to hold in confidence all such exchanges.

Commission staff members provide information and advice as is appropriate when assisting Commissioners in making a decision on the accreditation status of an institution. Particularly germane are historical information on similarly situated institutions, and procedural and substantive advice on how the policies and accreditation standards have been interpreted and could be applied to an institution's case, including possible action and follow up. Their role is an active one, providing advice that may include opinions on institutional patterns, institutional progress, and suggested action.

Although the staff's role in the process does not supplant the peer review and decision process, Commissioners should take into account information and advice provided by staff in order to ensure strength and consistency in the decision making process and to prevent decisions that could lead to effective legal action on the part of an institution. Commissioners should support an environment that allows staff to provide relevant and candid advice and to carry out their responsibilities to the Commission and to their assigned institutions, including responsibility for informing an institution of Commission action and the rationale for such action.

Confidentiality

All Commissioners must maintain complete confidentiality and conduct themselves with professional integrity in all accreditation activities and decisions. Confidentiality applies to all levels of the review process: review by the Committees on Compliance and Reports, the Executive Council, and the full Commission. Moreover, Commissioners are expected to maintain confidentiality regarding input from the staff just as they do regarding all other discussions conducted in the decision-making process.

As examples, **Commissioners may not disclose to anyone, including members of other C & R Committee members and other Commissioners, the following:**

1. **information about an institutional case scheduled for review, including the analysis of institutional materials; information gained from a meeting on the record; committee discussions before and during the meeting; and the resource material constituting the case**
2. **information distributed as part of Commission staff memos and oral comments by staff**
3. **the names of assigned readers of a case**
4. **information disclosed as part of a C & R or Executive Council's working agenda**
5. **decisions of the Committees on Compliance and Reports or of the Executive Council**
6. **rationale for a decision of the Commission pertaining to an institution**

Without a commitment to confidentiality by all Commissioners and in all aspects of the review process, Commissioners cannot freely execute their responsibility to conduct themselves with professional integrity in accreditation activities and decisions.

Conflict of Interest

Commission policies provide appropriate safeguards against conflict of interest in arriving at accrediting decisions. Commissioners are expected to remove themselves from discussion and abstain from voting on institutional cases where conflict of interest, or the appearance of conflict of interest, exists. As examples, a Commissioner would have a conflict of interest if he or she

1. is employed by the institution;
2. is employed within a state where the parent campus of the institution is located;
3. has been a consultant at the institution within the last ten years;
4. has been an appointee of the institution within the last ten years (e.g., board member);
5. has been an employee of the institution;
6. has been a candidate for employment at the institution within the last ten years;
7. is a graduate of the institution;
8. has a close personal or familial relationship with persons at the institution or a strong bias regarding the institution;
9. has served as a member of an on-site evaluation committee or an off-site review and developed the report used for action on the institution's accreditation;
10. is a stockholder or board member of the institution; or
11. has any other relationship that could serve as an impediment to rendering an impartial, objective professional judgment regarding the accreditation of an institution.

Commissioners who are employed by an institution under consideration shall *absent* themselves from the room during the discussion and voting on their own institution during the meetings of the Committees on Compliance and Reports and the Executive Council.

If a Commissioner recuses him or herself from a case reviewed by the Committees on Compliance and Reports or by the Executive Council, then recusal for the same case should take place during the vote by the full Commission. Conversely, if a Commissioner does not recuse him or herself during the review of a case, then the Commissioner may not recuse him or herself at the time of vote by the full Commission. Conflicts of interest should be claimed at the earliest point of institutional review.

Conflict of Interest and Undue Influence. A Commissioner is expected to recuse him or herself from decisions pertaining to an institution when someone attempts to influence the Commissioner regarding that institution's impending case. Examples of undue influence might include:

1. A Commissioner who is contacted by representatives of an institution regarding the institution's impending case or asking another Commissioner or individual to intervene and influence the Commissioner;
2. A Commissioner serving on the board of an institution appearing for a meeting on the record and discussing the case with sitting Commissioners who will take action on the institution;
3. A supervisor attempting to influence a Commissioner reporting to the supervisor regarding a case assigned for review to the Commissioner; and
4. A Commissioner seeking information from another Commissioner regarding an impending recommendation on a case.

It is the responsibility of the Commissioner to report to the President of the Commission any attempt to influence the Commission's decision of an impending case.

Integrity and the Commissioner's Institution

The Commission expects a Commissioner to hold his or her own institution accountable for the highest level integrity in all dealings with their constituencies, including the Commission. Lack of commitment to integrity at one's own institution potentially compromises the credibility of the peer review process.

PARTICIPATION RESPONSIBILITIES OF COMMISSIONERS

Commissioners are responsible for determining policy, reviewing and taking final action on the accreditation of institutions, reviewing fees schedules and the dues formula, and reviewing proposed changes to the Commission's standards for accreditation. (See "Standing Rules" for a complete list of Commissioner duties.)

When accepting an appointment to the Commission on Colleges, Commissioners agree to the following responsibilities:

1. ***Meeting Attendance.*** All Commissioners are either elected to serve on the Executive Council or are assigned to one of the Committees on Compliance and Reports. In accord with such service, Commissioners are required to attend the following meetings:
 - Orientation session for new Commissioners held in May;
 - Meetings of the Commission on Colleges held during the Summer Meeting in June (includes meetings of the Executive Council, Committees on Compliance and Reports, and the full Commission);
 - Meetings of the Commission on Colleges held during the Annual Meeting of the Commission in December (includes meetings of the Executive Council, Committees on Compliance and Reports, and the full Commission);
 - College Delegate Assembly Business Session held during the Annual Meeting in December; and
 - Spring meeting of the Executive Council, for those elected to that body.
2. ***Commissioner Assignments.*** As a member of one of the Committees on Compliance and Reports (C & R), a Commission member is assigned responsibility for the evaluation of a variety

of institutional reports and the formulation of recommendations regarding the accreditation status of those institutions. Commissioners assigned to serve on a C & R Committee are responsible for attendance at meetings, adherence to the meeting schedule, completion of reading assignments, and professional conduct in executing the work of the Commission.

As an elected member of the Executive Council, a Commissioner serves on the executive body of the Commission with responsibility for interpreting policies and procedures; supervising, reviewing and acting on the reports of *ad hoc* and standing committees; approving the Commission's budget; overseeing and evaluating the work of its President; and initiating new programs, projects, and policy proposals. Executive Council members are responsible for attendance at meetings and for professional conduct in executing the work of the Commission.

3. **Communications.** Commissioners serve as liaisons between the membership and the Commission staff. Commissioners may be asked to speak at state meetings, attend institutional events such as inaugurations, correspond with member institutions within the state, and assist the Commission office in disseminating information.
4. **Visiting Committee Service.** Commissioners are expected to have had experience in serving as members of review committees or, absent such experience, are expected to serve as members or official observers on review committees during the first year of service on the Commission.

FAILURE OF A COMMISSIONER TO MEET OBLIGATIONS

Ethical and participatory obligations of a Commissioner are of such importance to the credibility and effectiveness of the work of the Commission that failure to fulfill such obligations will result in a resignation request or removal from service. Examples of circumstances that would generate either action are as follows:

1. Failure of a Commissioner to attend two consecutive executive sessions of the Commission or of the standing committee on which that member serves without prior notification to the President of the Commission;
2. Failure of a Commissioner to execute responsibilities associated with service on the Committees on Compliance and Reports;
3. Failure of a Commissioner to execute responsibilities associated with service on the Executive Council;
4. Evidence that a Commissioner failed to uphold ethical obligations outlined in this statement;
5. Action by the Commission citing the Commissioner's institution for non-compliance with Section 1 (Integrity) of the *Principles of Accreditation*; and
6. Action by the Commission placing the Commissioner's institution on a public sanction or taking adverse action against the institution.

Process for Review of a Commissioner

If a Commissioner fails to meet the ethical and participatory obligations outlined above or if the Commissioner's institution has been placed on a sanction or cited for integrity issues, the Commissioner will be expected to render his or her resignation to the Chair of the Commission. If the Commissioner fails to do so, the Chair will request the Commissioner to submit a written statement explaining the circumstances that precipitated the failure to meet Commissioner obligations and responsibilities, and will arrange for the Commissioner to meet with the Executive Council. The Executive Council will review the case at its next meeting and will render a final decision regarding the status of the Commissioner's service.

If a Commissioner is in any way involved in litigation with the Association or the Commission on Colleges or both, the Commissioner will not be allowed to participate in the work of the Commission until litigation is concluded, including all appeals.

Approved: Commission on Colleges, June 2005

**STATEMENT ON THE RESPONSIBILITIES
AND THE ETHICAL OBLIGATIONS OF COMMISSIONERS**

SIGNATURE PAGE

I, _____ (*print name*), have read and understand the responsibilities and ethical obligations of Commissioners and by my signature agree to adhere to the expectations outlined in this Statement.

Commissioners are responsible for taking final action on the accreditation of applicant, candidate, and member institutions. Such actions are based on published standards, policies, and procedures of the Commission. In order to carry out effectively this primary responsibility to the membership, Commissioners are held accountable for integrity in all matters affecting the decision making process.

Signature

Date