

Commission on Accrediting

2020 POLICIES AND PROCEDURES



The Association of Theological Schools
The Commission on Accrediting

dealing with that review or appeal if the school requests it; and (4) the Board will release accreditation documents to appropriate regulatory agencies as required by federal, state, or provincial regulations or law. In addition, the Board publishes in the public membership directory action letters involving probation or an adverse action, after any review or appeal is resolved (see VIII).

VII.D **Commission Policy on Board Documents:** The Commission delegates to the Board the responsibility to maintain official records of all accreditation-related meetings, decisions, and correspondence.

VII.D.1 **Board Procedure on Recording Board Minutes:** All accreditation decisions, as well as other official actions taken by the Board, are recorded by the Board secretary (see V.B.3). An initial draft of the minutes for each Board meeting is prepared by the secretary and emailed to members of the Board for any comment and correction. A corrected draft is included in the agenda for the following Board meeting, which must then be reviewed and approved by the Board. All minutes are stored permanently in a secure location at the Commission office and offsite. Board minutes contain confidential information and are, therefore, available only to members of the Board and to Commission staff (see VII.C.2 for exceptions).

VII.D.2 **Board Procedure on Other Accreditation Records:** The Board maintains permanent and secure records of all official accreditation correspondence with member schools, except that it maintains only the two most recent self-study reports from member schools. All official Board agendas and decisions are recorded and maintained permanently in a secure location (see VII.D.1), as are any member school responses to those decisions (e.g., complaints or requests for reviews or appeals; see VIII and IX). These Board records are confidential and available only to members of the Board and to Commission staff (see VII.C.2 for exceptions). A summary of each school's accreditation history (with all accreditation decisions made by the Board for that school, as well as those made by staff, per VI.A.6) is available to each member school on request. The procedures in this section are consistent with the Board's Records Retention and Disposal Policy (a copy of which is available in the Commission office).

VIII. Reviewing and Appealing Board Decisions

- VIII.A **Commission Policy on Reviewing Board Decisions:** The Commission allows member schools to request the Board to review an action involving the imposition of warning or probation. No other actions of the Board are subject to review, though schools may appeal the denial or withdrawal of accreditation. A review involves a formal request from the school for the Board to review its decision to impose a warning or probation. The school must state its reasons for requesting a review and provide appropriate documentation supporting that request.
- VIII.A.1 **Board Procedure on Initial Request for a Review:** A review involves a formal request from the school to the Board for it to review its decision to impose warning or probation. The school must state its reasons for requesting a review and provide documentation supporting that request (see VIII.A.2). The school has two weeks from the time it was notified of the Board's imposing a warning or probation to submit an official request for a review (signed by the school's chief executive officer or designee) and two more weeks to submit specific documentation supporting its request.
- VIII.A.2 **Board Procedure for Reasons for Requesting a Board Review:** In making a request for a formal review, the school must cite one or more of the following reasons why it believes the Board's action may not be appropriate: (1) the Board misinterpreted or misunderstood the applicable *Commission Standards*; (2) the Board missed or misunderstood evidence the school previously provided to verify that it met the standard(s) in question; (3) the Board failed to follow Commission-approved policies or Board-approved procedures; or (4) the Board had a conflict of interest that was not known or stated prior to taking the action. The documentation in support of the reason(s) cited must be specific and germane to the reason(s) cited for the review. No new evidence is permitted, except new financial information—and only if the action was taken for financial reasons and only if the school has new financial information bearing on that action.
- VIII.A.3 **Board Procedure on Resolving Reviews:** Within 60 days of receiving the review request and documentation, the Board will meet via teleconference or videoconference to review its earlier action in light of the school's reason(s) for the review and the supporting documentation. The school making the request for a review is invited to participate in part of that meeting, but no legal counsel may be present. At the end of that meeting the Board will decide either to uphold or to rescind its original action to impose a warning or probation, with or without any additional actions (e.g., requiring a follow-up report). Within 30 days of that meeting, the Board will communicate its decision (which is final) and its reason(s) to the school. No action subject to review will become final (or public) until the review is resolved (see VII.A.4).
- VIII.B **Commission Policy on Appealing Board Decisions:** The Commission allows member schools to appeal any Board decision to deny or withdraw accreditation. No other actions of the Board are subject to an appeal, though schools may request a Board review of any decision to impose a warning or probation. An appeal involves a formal request from the school to the Board to convene the Appeals Panel. The school must state its reasons for the appeal and provide appropriate documentation supporting its request. The Appeals Panel has the authority to affirm, amend, or remand to the Board the original Board decision.

- VIII.B.1 **Board Procedure on Initial Request for an Appeal:** An appeal involves a formal request from the school to the Board to convene the Appeals Panel (see VIII.B.3-4) to reconsider the Board's decision to deny or withdraw accreditation. The school must state its reasons for making an appeal and provide documentation supporting that appeal (see VIII.B.2). The school has two weeks from the time it was notified of the action to submit an official letter of appeal (signed by the school's chief executive officer or designee) and two more weeks to submit specific documentation supporting its appeal.
- VIII.B.2 **Board Procedure on Reasons for Making an Appeal:** In making an appeal, the school must cite one or more of the following reasons why it believes the Board's action was not appropriate: (1) the Board misinterpreted or misunderstood the applicable *Commission Standards*; (2) the Board missed or misunderstood evidence the school previously provided to verify that it met the standard(s) in question; (3) the Board failed to follow Commission-approved policies or Board-approved procedures; or (4) the Board had a conflict of interest that was not known or stated prior to taking the action. The documentation in support of the reason(s) cited must be specific and germane to the reason(s) cited for the appeal. No new evidence is permitted, except new financial information—and only if the action was taken for financial reasons and only if the school has new financial information bearing on that action.
- VIII.B.3 **Board Procedure on Resolving an Appeal:** All appeals are handled by a membership-elected Appeals Panel (see VIII.B.4) that may not include any current members of the Board of Commissioners. Within 60 days of receiving the appeal and supporting documentation, an Appeals Panel will meet via teleconference or videoconference to evaluate the Board's action in light of the school's reasons and supporting documentation. The school making the appeal is invited to participate in part of that meeting and has the right to have legal counsel present (at the school's cost), as does the Appeals Panel (at the Commission's cost). At the end of that meeting, the Appeals Panel will either affirm the Board's original action, amend the Board's original action, or remand the action back to the Board with an explanation of why it amended or remanded the original action and with specific instructions for the Board regarding its decision to amend or remand. If the Board's original action is affirmed, the Board Secretary will communicate the Appeals Panel's decision (which is final) and its reason(s) to the school and to the Board—within 30 days of that meeting. If the Board's original action is amended or remanded to the Board, the Board will act on that at its next meeting and notify the school and the Appeals Panel within 30 days of that decision. No action subject to appeal will become final (or public) until the appeals process is resolved (see VII.A.4).
- VIII.B.4 **Board Procedure on Appeals Panel Composition:** The composition of the Appeals Panel, described in the *Commission Bylaws* (5.8), includes five persons, with at least one faculty member, one administrator, one ministry practitioner, and one public member. Appeals Panel members are subject to the same conflict of interest procedures and policies as apply to members of the Board and, on election, will sign the statement on conflict of interest (see VI.B.1). Public members of the Appeals Panel must also sign a form verifying that they meet the qualifications for public members (see V.B.1). Vacancies occurring on the Appeals Panel by death, resignation, refusal or inability to serve, or otherwise between Biennial Meetings shall be filled by majority vote of the Board. Each Appeals Panel member so appointed shall serve until the next Biennial Meeting and until the member's successor is elected and qualified or until such member's death, resignation, or removal. The removal of any Appeals Panel member shall be by the Board on the recommendation of a majority of the Appeals Panel members subject to the

same causes as articulated in the *Commission Bylaws* (3.14).

VIII.B.5 Board Procedure on Appeals Panel Training and Decisions: Appeals Panel members receive training in the content and interpretation of the Commission's *Standards* and *Policies* and the Board's *Procedures* (including the review and evaluation of distance education), as well as any concerns related to the specific issues of an appeal. The Appeals Panel shall elect from among its members a chair, vice chair, and secretary. The chair shall call meetings by providing notice of the date and time. The chair is responsible for determining the agenda for meetings of the Appeals Panel, convening the Appeals Panel, and chairing its meetings, which are typically held via videoconference. The vice chair convenes and chairs meetings of the Appeals Panel at the request of the chair. The Board secretary records the actions of the Appeals Panel and communicates the actions to the Board and to the school within 30 days of the Appeals Panel action (see VII.A.4).

IX. Complaints against the Board, Staff, or Member Schools

- IX.A **Commission Policy on Complaints against the Board or Staff:** The Commission requires the Board to evaluate complaints regarding the Board itself or the Commission staff.
- IX.A.1 **Board Procedure on Complaints against the Board or Staff:** The Board will review, at its first meeting following receipt, confirmed formal complaints regarding its own conduct in the context of the *Policies and Procedures* to determine if it has failed to function within the parameters established by those policies or procedures. If the Board determines that its action does not conform to those policies and procedures, it will correct its practice and review any decision related to the complaint. Confirmed formal complaints regarding Commission staff will be reviewed by the executive director and, at the request of the executive director, by the Board. The review will occur in the context of the *Policies and Procedures*.
- IX.B **Commission Policy on Complaints against Member Schools:** The Commission requires the Board, which may act as a whole or through a designated committee, to consider responsibly complaints that may be made against any accredited member school. The complaint must be filed in writing, together with substantial documentation, as appropriate for the circumstance. The Board will determine if the complaint has standing with reference to any membership criterion or to any *Commission Standards or Policies*. If the complaint has standing, the Board will investigate and communicate its conclusions and actions in a timely manner to the school and to the party raising the complaint. The Board has no responsibility to adjudicate individual grievances.
- IX.B.1 **Board Procedure on Addressable Complaints against a Member School:** The Commission's complaint policy (see IX.B) addresses only those situations where a complainant clearly describes and sufficiently documents perceived nonconformity by a member school with the Commission's *Standards or Policies* and/or with the membership criteria. Complaints that meet these criteria are understood to have standing in the complaint process. The *Commission Standards* require that schools have clearly defined processes for addressing faculty, employee, and student grievances. Potential complainants are, therefore, expected to exhaust a member school's own complaint or grievance policies before submitting a complaint to the Board. Complaints must be filed within a year after any applicable complaint or grievance procedure at the member school has been completed. Decisions of the Board related to complaints are not subject to review or appeal.
- IX.B.2 **Board Procedure on Non-Addressable Complaints against a Member School:** The Board does not consider complaints that deal with individual grievances not related to the Commission's *Standards or Policies* or to the membership criteria. The Board does not arbitrate with a school on behalf of a complainant, nor is the Board authorized to seek compensation, damages, readmission, reemployment, or other forms of redress on behalf of a complainant. The Board's evaluation of complaints is limited to decisions regarding a school's accredited status. The Board does not consider anonymous complaints, but may, in exceptional circumstances, maintain the identity of the complainant in confidence.
- IX.B.3 **Board Procedure on Initial Determination Regarding Complaints against a Member School:** Upon receipt of a complaint submitted on the ATS Commission formal complaintform (available

from the Director of Commission Information Services at accrediting@ats.edu or 412-788-6505), the complaint will be reviewed to determine if sufficient documentation exists for the complaint process to proceed and a determination regarding standing to be made. The complainant will receive confirmation of receipt of the complaint within 15 business days and, at that time, any additional information required to process the complaint will be identified and communicated to the complainant. After the receipt of all necessary information, one of two determinations will be made: (1) the complaint does not fall under the purview of the Commission's complaint policy and will not be pursued further; or (2) the complaint may or does fall within the purview of the Commission complaint policy and will be referred for further review to the Board. The complainant will be notified of which determination was made within 15 business days of making the determination.

- IX.B.4 Board Procedure on Initial Decision by Board Regarding Complaints against a Member School:** If a complaint is referred to the Board, one of the following decisions will be made within 30 business days: (1) determine that the complaint does not have standing (see IX.B.2) and take no further action, thereby closing the matter for further review; the complainant will be notified of that decision with an appropriate explanation within 15 business days of the action; or (2) determine that the complaint has standing (see IX.B.1), notify the member school of the complaint with appropriate description, and require the school to respond within 30 business days.
- IX.B.5 Board Procedure on Next Steps by Board Regarding Complaints against a Member School:** If the school has been asked to respond (per IX.B.4), a copy of the school's response will be provided to the complainant and to the Board. If the Board determines (within 30 business days) that additional information from the complainant and/or the school is needed before a final decision can be made, then the Board will notify the appropriate party of the additional information required to process the complaint. The complainant and/or the school will have 30 business days to respond prior to the Board's final decision (see IX.B.6).
- IX.B.6 Board Procedure on Final Decision by Board Regarding Complaints against a Member School:** Once the Board has the information needed, it will make one of the following three final decisions: (1) determine that the school's response satisfactorily addresses the issue(s) raised in the complaint and take no further action, thus closing the matter; (2) determine that sufficient reason exists to warrant further review by requiring an additional written report from the school and/or authorizing a focused visit to the school, in which case the visiting committee will prepare a report for consideration by the Board at the meeting immediately following the visit; or (3) determine that other action(s) should be taken (see options in III).
- IX.B.7 Board Procedure on Timeliness and Fairness of Board Decisions Regarding Complaints against a Member School:** After reaching a final decision (as described in IX.B.6), the Board will typically notify the complainant and the school within 15 business days of the action. The Board will process complaints in a timely manner, and in no case will its final decision (see IX.B.6) be made later than the second Board meeting following receipt of a complaint determined to have standing (see IX.B.3). The *Commission Standards* require schools to treat individuals in fair and ethical ways, and this includes the treatment of complainants. Commission staff will maintain a record of complaints, ensuring that all complaints received are addressed according to these Board-approved procedures.

X. Sharing Commission Data Collected from Member Schools

- X.A. **Commission Policy on Collecting and Sharing Commission Data:** The primary purpose of the Commission is “to contribute to the enhancement and improvement of theological education through the accreditation of schools that are members...” (*Commission Bylaws*, Section 1.2). A secondary purpose is “to collect data from all members... for use in accrediting and to provide the data resources supporting applied research undertaken by ATS” (*ibid.*). On behalf of the Commission, the Board maintains a comprehensive institutional database on graduate theological schools in North America that are members. These data are provided by member schools on the ATS Annual Report Forms as a condition of membership. The database contains information related to a range of educational and accrediting issues and provides data central to the administrative and programmatic work of the Association. It also serves as a valuable resource for researchers and organizations that share an interest in theological education, for church and denominational bodies, for representatives of the media, and for the public. The Board shares all Commission data in the institutional database with the Association for its use. It shares with others per specific Board procedures.
- X.A.1 **Board Procedure on Principles and Purposes for Sharing Commission Data:** On behalf of the Commission, the Board collects, protects, and shares data based on the principles and purposes described here. A key principle is protecting the confidentiality of sensitive data (e.g., salaries of ATS member school employees and non-public data collected by the Commission (see X.A.2)). The Board delegates ATS staff to provide data to member schools and to others for these purposes: (a) to improve theological education; (b) to promote appropriate openness and transparency, (c) to cultivate more substantive and diverse conversations among member schools, their constituencies, researchers, and the broader public; and (d) to address key issues in theological education. All requests for sharing Commission data must be for one of these purposes.
- X.A.2 **Board Procedure on Sharing Commission Data Publicly:** The Board considers the following information in the Commission database to be public: (a) data published in the ATS Annual Data Tables on the ATS website, and (b) data published in the ATS membership directory on the ATS website. The only public data in the ATS Annual Data Tables that are identified by individual schools are found in Annual Data Table 1.2 “Significant Institutional Characteristics of Each Member School” and in Annual Data Table 2.15 “Head Count and Full-Time Equivalent Enrollments by Degree Category in All Member Schools.” Public data in the ATS membership directory that are identified by individual schools include personal contact information, selected statistics, and accreditation status (see VII.A.2).
- X.A.3 **Board Procedure on Sharing Commission Data in Other Ways:** The Board delegates ATS staff to provide data on requests from member schools or from other parties, contingent on adequate ATS financial and human resources. The Board-approved *Principles and Procedures for Sharing Commission Data* on the Research and Data webpage on the ATS website has a list of what data are shared with what constituencies, under what conditions, and at what cost, if any.

