



# HIGHER LEARNING COMMISSION

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November 19, 2019

VIA ELECTRONIC MAIL

Kellie Hall, Interim President  
Turtle Mountain Community College  
10145 BIA Road 7  
P.O. Box 340  
Belcourt, ND 58316

Dear President Hall:

This letter is formal notification of action taken by the Higher Learning Commission (HLC) Board of Trustees (“the Board”) concerning Turtle Mountain Community College (“the Institution”). This action is effective as of the date the Board acted, November 7, 2019. In taking this action, the Board considered materials from the most recent comprehensive evaluation, including, but not limited to: the Assurance Filing the institution submitted, the report from the comprehensive evaluation team, the report of the Institutional Actions Council (IAC) Hearing Committee, and the institutional responses to these reports.

**Summary of the Action:** The Board continued the accreditation of the Institution. The Institution meets Core Components 2.A, 2.C, 2.E, 4.A, 4.B, and 5.B with concerns. The Institution is required to submit an Interim Report, as outlined below, no later than May 28, 2020. The Institution is also required to host a Focused Visit, as outlined below, no later than November 15, 2021.

## **Board Rationale**

The Board based its action on the following findings made with regard to the Institution:

The Institution meets, but with concerns, Criterion Two, Core Component 2.A, “the institution operates with integrity in its financial, academic, personnel, and auxiliary functions; it establishes and follows policies and processes for fair and ethical behavior on the part of its governing board, administration, faculty, and staff,” for the following reasons:

- Previously, there was confusion regarding the division of responsibility between the Institution's two Boards and the Institution's administration, and regarding the protocols for airing disagreements among the governance structures. The Institution's two Boards now indicate a clear understanding that the role of the Board of Directors is to hire, evaluate and, if necessary, dismiss the President, and to set policy as defined in the Bylaws. Staff and faculty hiring and day-to-day operations of the college are left to the President and the Institution's administration. The Chair of the Board of Directors indicated that evaluations of the President are being conducted as outlined in the Board Bylaws. An outside governance expert has been hired to assist the Boards and the incoming President with the process of reviewing and revising Board Bylaws, including

to improve clarity on these issues. Approval of the revised Bylaws was expected in October 2019.

- While the Institution has a conflict of interest policy for its Board of Directors, the policy previously did not provide enough clarity. The Institution acknowledges that there are weaknesses in its conflict of interest policy and this will be addressed with the other Bylaws changes, approval of which was expected in October 2019.

The Institution meets, but with concerns, Criterion Two, Core Component 2.C, “the governing board of the institution is sufficiently autonomous to make decisions in the best interest of the institution and to assure its integrity,” for the following reason:

- Members of the Institution's Board of Directors and Board of Trustees indicate their understanding that day-to-day operations of the Institution are the responsibility of the President and administration. The Chair of the Board of Directors recognized that some Bylaws need clarification and modification to more appropriately define roles and expectations of the governing board. An outside governance expert has been hired to assist the Boards and the incoming President with the process of reviewing and revising Board Bylaws. Approval of the revised Bylaws was expected in October 2019.

The Institution meets, but with concerns, Criterion Two, Core Component 2.E, “the institution’s policies and procedures call for responsible acquisition, discovery and application of knowledge by its faculty, students and staff,” for the following reasons:

- The Institution has an Academic Integrity Policy as well as statements on academic integrity found in the student handbook, faculty handbook and the syllabus template. Students have the right to appeal or file a grievance if they disagree with a faculty member’s claim of a student violation.
- The Academic Integrity Policy, however, may not be consistently applied and the lack of systematic reporting by faculty to the Dean could impact the Institution’s ability to identify students with multiple academic integrity violations. Further, current statements on academic integrity made public on the Institution’s website are inconsistent. The Statement on Academic Honesty in the 2018-2019 Faculty Handbook provides each faculty member with an opportunity to handle, individually, student academic integrity violations, and notes that instructors will report action to the Dean of Academic Programs. The 2018-2019 Student Handbook describes various forms of academic misconduct and indicates that any violation will be reported to the Dean of Students. The disparity in these two statements may result in confusion for students, as well as faculty, given the differing reporting routes. Finally, clarity and consistency of the policy on academic integrity and reporting of violations is needed to confirm that the Institution has and enforces its policies on academic honesty and integrity.

The Institution meets, but with concerns, Criterion Four, Core Component 4.A, “the institution demonstrates responsibility for the quality of its educational programs,” for the following reasons:

- The Institution has made progress on some program reviews but has not yet completed all program reviews as required by previous monitoring. Although CTE programs (80% of programs) are reviewed through the state system requirements, the remaining 20% of programs are only in the beginning stages of being evaluated.

- The Institution has developed the instrument and protocols for the academic program review process that also incorporates the centrality of the preservation of cultural values. The Institution has started the process of program review for the non-CTE academic programs with a pilot project. Through this pilot process, the Institution found that the volume of data required for the review was excessive. As such, the number of data indicators for the review process was streamlined to allow the Institution to focus on the most critical indicators that facilitate program understanding and decision-making.

The Institution meets, but with concerns, Criterion Four, Core Component 4.B, “the institution demonstrates a commitment to educational achievement and improvement through ongoing assessment of student learning,” for the following reasons:

- The Institution has developed a student learning assessment committee as well as outcomes for general education, certificates, degrees, programs and functional unit outcomes for seven units.
- While the Institution has made strides on assessment of academic programs, it has not assessed the achievement of the learning outcomes for co-curricular programs, such as Anishinabe Learning, Project Shell, and Get Out and Vote, among others.

The Institution meets, but with concerns, Criterion Five, Core Component 5.B, “the institution’s governance and administrative structures promote effective leadership and support collaborative processes that enable the institution to fulfill its mission,” for the following reasons:

- The Institution’s governing Board is knowledgeable about the Institution, provides oversight of the Institution’s financial and academic policies and practices, and meets its legal and fiduciary responsibilities. The Institution’s Boards seek outside consultation and expertise as needed to continue to serve the best interest of the Institution’s constituents.
- With the intent to improve the Institution, the Boards considered a realignment of their structures; however, they subsequently made the decision to keep the current structure after a critical review of the tiered governance structure. Clarification and/or confusion in the Bylaws is being addressed by the Board of Directors and was slated to be completed in October 2019.

The Institution has demonstrated that it is otherwise in compliance with the Criteria for Accreditation, Assumed Practices, and Federal Compliance requirements.

### **Next Steps in the HLC Review Process**

**Interim Report:** The Board required that the Institution submit an Interim Report no later than May 28, 2020, regarding Core Components 2.A, 2.C, 2.E, and 4.A as outlined in its August 2019 Institutional Actions Council Hearing report.

**Focused Visit:** The Board required that the Institution host a Focused Visit regarding no later than November 15, 2021, regarding Core Components 4.A, 4.B, and 5.B as outlined in its August 2019 Institutional Actions Council Hearing report.

**Comprehensive Evaluation:** The Institution has been maintained on the Standard Pathway with its next comprehensive evaluation for reaffirmation of accreditation in 2023-24.

**HLC Disclosure Obligations**

The Board action resulted in changes that will be reflected in the Institution's Statement of Accreditation Status as well as the Institutional Status and Requirements Report. The Statement of Accreditation Status, including the dates of the last and next comprehensive evaluation visits, will be posted to the HLC website.

HLC policy<sup>1</sup> requires that a summary of Board actions be sent to appropriate state and federal agencies and accrediting associations. It also will be published on HLC's website. The summary will include this HLC action regarding the Institution.

On behalf of the Board of Trustees, thank you in advance for your cooperation. If you have questions about any of the information in this letter, please contact your HLC Staff Liaison, Dr. Gigi Fansler.

Sincerely,

A handwritten signature in black ink, reading "Barbara Gellman-Danley". The signature is fluid and cursive, with the first name "Barbara" being the most prominent.

Barbara Gellman-Danley  
President

Cc: Ace Charette, Director of Research, Assessment & Accreditation, Turtle Mountain Community College  
Evaluation Team Chair  
IAC Hearing Committee Chair  
A. Gigi Fansler, Vice President for Accreditation Relations, Higher Learning Commission  
Anthea Sweeney, Vice President for Legal and Governmental Affairs, Higher Learning Commission

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<sup>1</sup> COMM.A.10.010, Commission Public Notices and Statements