



ACCREDITING BUREAU OF HEALTH EDUCATION SCHOOLS
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Memorandum

TO: ABHES-accredited Institutions and Programs

FROM: Florence Tate, Executive Director

DATE: June 1, 2017

SUBJECT: Proposed Revisions to ABHES Bylaws – Call for Comment

Pursuant to Article X. Amendments of the ABHES Bylaws, ABHES seeks your consideration and input on proposed revisions of its Bylaws. After consideration of the comments received, the Commission may adopt the revisions as proposed below. To comment, please [click here](#). Comments must be received no later than June 30, 2017.

ARTICLE IV. BOARD OF TRUSTEES

Section 4.4. Composition. The Commission shall be composed of a minimum of nine (9) and a maximum of ~~fifteen–seventeen~~ (157) commissioners. The majority of commissioners shall be nominated and elected by the members in accordance with Section 4.5.3 of these bylaws. The remaining commissioners shall be appointed by the Commission in accordance with Sections 4.6.2 of these bylaws.

In order to assure that the Commission is well-qualified to effectively carry out the mission of ABHES, the Commission may expand the number of commissioners representing a specific category provided that the majority of commissioners is elected, the total number of commissioners does not exceed 157, at least two (2) commissioners are owner representatives, and at least one-seventh (1/7) of the commissioners represent the public. A decrease in the number of commissioners shall not have the effect of shortening the term of any incumbent commissioner.

No more than one sitting commissioner may be employed by or otherwise closely connected to any institution, or group of institutions commonly owned. Such relationship with a sitting commissioner shall disqualify an individual for nomination for an elected or appointed position on the Commission. The Commissioner Nominating Committee shall not nominate two individuals having such relationship for consideration at the same election.

Section 4.5. Elected Commissioners.

Section 4.5.1. Categories and Qualifications of Elected Commissioners. Unless stated otherwise within these bylaws, there must be at least one representative for each of the following:

(a) **Academician in a Healthcare related area.** Requires at least five (5) years of academic experience on site at a member institution or program, including active participation in an academic capacity in the day-to-day operations of a member institution or program during the three (3) years immediately preceding election (those three (3) years may count toward the five-year experience requirement).

(b) **Administrator in a Healthcare related area.** Requires at least five (5) years of administrative experience in a member institution or program, including active participation in an administrative capacity in the day-to-day operations of a member institution or program during the three (3) years immediately preceding election (those three (3) years may count toward the five-year experience requirement).

(c) **Ownership Representative (at least two (2)).** Requires current status as: (i) a sole or majority owner; corporate officer, chief executive officer or president of a member institution holding institutional accreditation, (ii) a member of the board of directors, a trustee, or an officer of a member institution or sponsoring institution holding programmatic accreditation owned or operated by a nonprofit entity; (iii) a person who owns a sufficient interest in a member institution or sponsoring institution holding programmatic accreditation that functions as a partnership or privately held corporation and who, therefore, has a direct and abiding interest in its performance and the quality of education it offers; OR (iv) an officer of a publicly held corporation that owns a member institution holding institutional accreditation.

(d) **Educator in Specialty Area.** Must be currently or recently directly engaged in a significant manner in an academic position at a postsecondary institution accredited by an agency recognized by the Secretary of the U.S. Department of Education in a health-care related field for which ABHES is recognized as a programmatic accreditor by the Secretary of the U.S. Department of Education.

~~(d)~~(e) **Commissioner-at-Large**

Section 4.6.1. Categories and Qualifications of Appointed Commissioners. Unless stated otherwise within these bylaws, there must be at least one representative for each of the following:

(a) **Practitioner in Specialty Area.** Must be currently or recently directly engaged in a significant manner as a health-care related specialist in a field for which ABHES is recognized as a programmatic accreditor by the Secretary of the U.S. Department of Education.

(b) **~~Baccalaureate Degree Representative~~Higher Education Specialist.** Must have a graduate degree at the master's level and at least seven (7) years employment at by an institutions of higher education that awards ~~the baccalaureate~~ degrees at the graduate level and are ~~is~~ accredited by an agency recognized by the United States Secretary of Education. This employment must be as (i) an instructor of courses that apply toward the baccalaureate degree or higher credential, (ii) an administrator whose responsibilities include one or more academic programs that offer the baccalaureate degree or higher credential or (iii) a combination of such teaching and administrative work.

(c) **Distance Education Specialist.** Requires at least three (3) years of experience in an academic position designing or developing, teaching and/or evaluating distance education courses at a postsecondary institution accredited by an agency recognized by the Secretary of the U.S. Department of Education.

(d) **Public Member.** (At least 1/7 of Commission) A Public Member is 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 is accredited by ABHES or has applied for accreditation, (2) a member of any trade association or membership organization related to, affiliated with, or associated with ABHES, or (3) a spouse, parent, child, or sibling of an individual identified in paragraph (1) or (2) of this definition.

(e) **Commissioner-at-Large**

Section 4.15. Quorum. Except as otherwise provided by these bylaws, a simple majority of the commissioners then in office and present at any meeting of the Commission shall constitute a quorum for the transaction of business ~~at any meeting of the Commission~~. If less than a quorum of commissioners is present at such meeting, those present may adjourn the meeting from time to time without further notice, other than announcement at the meeting, until a quorum is present. Further, if a quorum is not present, discussion may occur on any agenda item, but no action may be taken.

Section 6.2.3. Commissioner Nominating Committee. The Committee is charged with preparing a list of nominations for the election and appointment of all commissioners, in accordance with Section 4.5.3 and Section 4.6.2. of these bylaws. The Committee shall consist of five (5) members: (a) the Chair of the Commission; (b) two commissioners, one of whom must be a representative of the public, as described in Section 4.6.1 of these bylaws, and (c) two individuals representing the members of ABHES elected by the ABHES membership. Elected committee members serve two-year terms.

ARTICLE X. AMENDMENTS

Amendments, alterations, or repeal of these bylaws, either in whole or in part, will be effective only by a two-thirds vote of the Commission, taken at a regular or special meeting, provided that the proposed changes are ~~published for comment to all ABHES members and~~ filed with the Executive Director at least 30 days in advance of the meeting date, and a notice of such amendments, with a copy of the proposed changes, are mailed to the commissioners not less than 30 days in advance of the meeting at which such changes are to be considered.

Section 11.2. Suits against ABHES, Jurisdiction, Venue and Choice of Law. By applying for accreditation by the Accrediting Bureau of Health Education Schools, the member agrees to exhaust all appeal opportunities and to submit fully and faithfully to final, binding arbitration proceedings as set forth in the ABHES Accreditation Manual before filing ~~Jurisdiction and venue of~~ any suit, claim, or proceeding relating to membership, accreditation, or accredited status, whether a claim for damages or for injunctive or declaratory relief, brought by ~~an accredited member, former member, or applicant for accreditation membership and accredited status~~ against ABHES, ~~or~~ a commissioner, officer, committee member, the Commission, the Appeals ~~Panel~~ Body, or a ~~member or~~ staff member acting in his or her official capacity. Jurisdiction and venue of any suit, claim, or proceeding, not subject to final binding arbitration shall only be in the U.S. District Court for the Eastern District of Virginia, Alexandria Division, or the Circuit Court for the City of Alexandria, Virginia. The law of the Commonwealth of Virginia shall govern the interpretation, and performance of the terms of these bylaws and the *Accreditation Manual*, as well as any dispute between an accredited member, former member, or applicant for membership and ABHES, regardless of the law that might otherwise be applied

under any principles of conflicts of laws. ~~Accredited members, former members and applicants must exhaust all administrative remedies provided for in the ABHES bylaws and Accreditation Manual before initiating any suit, claim, or proceeding in a court of law.~~