

U.S. Department of Education Staff Report

to the

Senior Department Official on Recognition Compliance Issues

Recommendation Page

1. **Agency:** Middle States Commission on Secondary Schools (2004 / 2014)
(The dates provided are the date of initial listing as a recognized agency and the date of the agency's last grant of recognition.)
2. **Action Item:** Petition for Continued Recognition
3. **Current Scope of Recognition:** The accreditation of institutions with postsecondary, non-degree granting career and technology programs in Delaware, Maryland, New Jersey, New York, Pennsylvania, the Commonwealth of Puerto Rico, the District of Columbia, and the U.S. Virgin Islands to include the accreditation of postsecondary, non-degree granting institutions that offer all or part of their educational programs via distance education modalities.
4. **Requested Scope of Recognition:** N/A
5. **Date of Advisory Committee Meeting:** 06/20/2017
6. **Staff Recommendation:** Continue the agency's current recognition and require the agency to come into compliance within 12 months, and submit a compliance report 30 days after the 12 month period that demonstrates the agency's compliance with the issues identified below.
7. **Issues or Problems:** It does not appear that the agency meets the following sections of the Secretary's Criteria for Recognition. These issues are summarized below and discussed in detail under the Summary of Findings section.
 - MSCSS does not meet the requirements of this section. The agency needs to provide CV's/or resumes for each of its entire senior and administrative staff to evidence their qualification. [§602.15(a)(1)]
 - MSCSS does not meet the requirements of this section. The agency needs to provide CV's/or Resumes to evidence the competency of their representatives. The agency also needs to provide documentation to demonstrate its training of its Commissioners, Appeal Panel, and Site Team representatives. [§602.15(a)(2)]

Executive Summary

PART I: GENERAL INFORMATION ABOUT THE AGENCY

The Middle States Commission on Secondary Schools (MS-CSS) is one of three Commissions of the Middle States Association of Colleges and Schools. Primarily an accreditor of secondary education institutions, the agency also accredits postsecondary, non-degree granting vocational institutions. These postsecondary education institutions provide training in vocational/technical careers within certificated and licensed professions such as automotive technology, computer networking, cosmetology and practical nursing.

The agency's current scope of recognition is for the accreditation of institutions with postsecondary, non-degree granting career and technology programs in Delaware, Maryland, New Jersey, New York, Pennsylvania, the Commonwealth of Puerto Rico, the District of Columbia, and the U.S. Virgin Islands, including those that offer all or part of their educational programs via distance education modalities.

The agency's federal link is the Higher Education Act, Title IV federal student aid program. Therefore, the agency must meet the Secretary's separate and independent requirements.

Currently, the agency accredits fifteen postsecondary non-degree-granting institutions that use its accreditation to establish eligibility for Title IV federal student aid programs.

Recognition History

The Middle States Commission on Secondary Schools was established in 1920. It was first recognized by the Secretary for the accreditation of public vocational-technical schools offering non-degree postsecondary education in 1988 and remained a recognized agency until July 1999 when it requested that its recognition be withdrawn.

The agency submitted a petition again for initial recognition in December 2003, and in 2004 the National Advisory Committee on Institutional Quality and Integrity recommended and the Secretary concurred that the agency be recognized for a two-year period but required it to submit an interim report at its Fall 2006 meeting demonstrating compliance with the issues identified in the staff analysis.

In December 2006, The National Advisory Committee on Institutional Quality and Integrity reviewed and recommended that the Secretary accept the agency's report.

The agency submitted a petition again for continued recognition in June 2012 and the National Advisory Committee on Institutional Quality and Integrity recommended and the Secretary concurred that the agency's recognition continue and that it demonstrate compliance with a number of the Secretary's Criteria for Recognition. The issues fell primarily in the areas of required standards and their application, and required operating policies and procedures. Most of the citations in these areas are due to the lack of documentation demonstrating the application of specific policies or procedures, which is necessary for compliance, and the agency's amendments or revisions to its policies and procedures to meet the requirements resulting from the HEA amendments in 2010.

At its June 2014 meeting, The National Advisory Committee on Institutional Quality and Integrity reviewed and recommended that the Secretary accept the agency's report.

The agency's petition for continued recognition is the subject of this analysis and report..

PART II: SUMMARY OF FINDINGS

602.15 Administrative and fiscal responsibilities

The agency meets this requirement if the agency demonstrates that--

(a) The agency has--

(1) Adequate administrative staff and financial resources to carry out its accrediting responsibilities;

MSCSS cannot attest to this section of the criteria. The agency must demonstrate that it has a clearly defined organizational structure and that its staffing is adequate to support all of its accreditation activities. The agency must also demonstrate that its operations are sustained through income generated from fees and services from accredited institutions, and that its budget and audited financial statements document its financial operations and indicate the agency's ability to conduct all of its accrediting responsibilities,

Analyst Remarks to Response:

In response to the draft analysis, MSCSS provided in its narrative supporting documentation (Exhibit d1) the organizational chart, which clearly defines the organizational structure and the Job titles of 13 staff positions. However, it is not clear to Department staff the duties and responsibilities of each agency staff member or if they are qualified by education and experience to perform those duties. While the agencies provided brief biographies for some of its staff in Sec 602.15(a)(2) (Sec. 3 Exhibit e.6). Those individuals are designation as trainers. The agency also provided exhibits (d2) and (d3) which document the agency's income source along with its fiscal year ending in June 2016 budget and June 2016 audited financial statement (602.14(c)) (Exhibit 25 sec 3 (d1) that documents an increase in net assets and unrestricted assets that should ensure the agency's ability to conduct all of its accrediting responsibilities. Department staff has received no complaints against the agency regarding its inability to perform accreditation activities; no information indicating that the agency has cancelled accreditation reviews based on personnel issues; postponed commission meetings or failed to hold and conduct training for staff. MSCSS needs to provide CV's/or resumes for each of its entire senior and administrative staff to evidence their qualification.

(2) Competent and knowledgeable individuals, qualified by education and experience in their own right and trained by the agency on their responsibilities, as appropriate for their roles, regarding the agency's standards, policies, and procedures, to conduct its on-site evaluations, apply or establish its policies, and make its accrediting and preaccrediting decisions, including, if applicable to the agency's scope, their responsibilities regarding distance education and correspondence education;

MSCSS cannot attest to this section of the criteria. The agency must demonstrate the competence, knowledge, and qualifications of its Commission members, appointed Appeals Panel members, site team members and staff as required by this criterion. Its documentation should include; evidence of training for those individuals involved in accreditation activities, biographies and Curricula Vitals or resumes to document that its commissioners have the appropriate education and experience to serve on the agency's commission, and because of the diversity with the types of occupational institutions the agency accredits, site teams members may be educational specialist (who also serve as distance education specialist if appropriately trained or have the required experience), and occupational specialist.

Analyst Remarks to Response:

In response to the draft analysis, the MSCSS narrative provided further clarification as to the competence, knowledge, and qualifications of its Commission, appointed Appeals Panel, and site team members as required by this section of the criteria. Qualifications requirements and the process for selection of the members of the MSA Secondary Commission, its Appeals Panel and site team members are documented in (Sec. 3 Exhibit (e.1-6). However the agency did not provided any CV's/or resumes to demonstrate or evidence the competency of their representatives which is required by this section. The agency also provided its requirements and processes for training its commissioners, appeal panel members and site teams.(Sec. 3 Exhibit e.7,8 and 10), and listed the members of its training staff. The agency noted that they have not yet had the opportunity to implement training for its Appeal Panel. The agency provided a sample training certificate for one of its site team members (Sec 3 Exhibit e.10) and materials used in the training of its appeal panel members (Sec 3 Exhibit e.9a), it also provided a list of the subjects that are covered in the training of its commission members (Sec 3 exhibit e.7). However, except for the Appeals Panel, it is unclear how the agency provided its training or if the training included distance education. It did not provide any evidence of application such as training agendas, copies of training webinars, and other training materials which clearly demonstrates that the agency's staff, decision-making bodies and site team evaluators are trained regarding the agency's standards, policies and procedures including information regarding the review of distance education programs. The MSCSS needs to provide CV's/or Resumes to evidence the competency of their representatives. The agency also needs to provide documentation to demonstrate training of its Commissioners, Appeal Panel, and site team members including training relative to the accreditation and evaluation of distance education.

PART III: THIRD PARTY COMMENTS**Staff Analysis of 3rd Party Written Comments**

The Flores' comments are directed to the Middle States Commission on Higher Education (MSCHE), and do not pertain to the Middle States Commission on Secondary Schools (MSCSS)