

U.S. Department of Education Staff Report

to the

Senior Department Official on Recognition Compliance Issues

Recommendation Page

1. **Agency:** American Physical Therapy Association (1977 / 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 and preaccreditation ("Candidate for Accreditation") in the United States of physical therapist education programs leading to the first professional degree at the master's or doctoral level and physical therapist assistant education programs at the associate degree level and for its accreditation of such programs offered via distance education.
4. **Requested Scope of Recognition:** Same as above.
5. **Date of Advisory Committee Meeting:** 02/07/2018
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.
 - The agency must provide documentation to demonstrate it has taken an adverse action and enforced the timeframes required by this section. [§602.20(a)]
 - The agency must provide documentation to demonstrate that it clearly communicates to a program when it grants an extension for good cause. [§602.20(b)]

Executive Summary

PART I: GENERAL INFORMATION ABOUT THE AGENCY

The American Physical Therapy Association (APTA) is a professional association of more than 80,000 physical therapists, physical therapy assistants, and students of physical therapy. The Commission on Accreditation in Physical Therapy Education (CAPTE) of the APTA is a programmatic accreditor. CAPTE membership is voluntary and its principal purpose is to accredit higher education programs. CAPTE accredits and preaccredits physical therapist (PT) education programs leading to the first professional degree at the master's or doctoral level and physical therapist assistant (PTA) education programs at the associate degree level.

CAPTE accreditation of PT and PTA programs is required for access to the Scholarships for Disadvantaged Students (SDS) Program which was established via the Disadvantaged Minority Health Improvement Act of 1990, Section 737 of the Public Health Service Act. As a programmatic, non-Title IV eligible accreditor, CAPTE is not required to meet the separate and independent requirements in the Secretary's Criteria for Recognition.

CAPTE currently accredits 202 PT programs, 274 PTA programs, and 74 preaccredited ("developing") programs throughout the United States, the District of Columbia, and its territories. In addition to the U.S. programs, the agency also recognizes PT programs in Canada and the United Kingdom, although these programs are outside the scope of the agency's recognition by the Secretary.

Recognition History

The Commission on Accreditation in Physical Therapy Education (CAPTE) of the American Physical Therapy Association (APTA) was first recognized by the Secretary in 1977. In 1985, the Secretary granted an expansion of scope to the agency to include the preaccreditation of programs for the physical therapist and physical therapist assistant. The agency has been periodically reviewed and continued recognition has been granted after each review. The agency has evaluated programs offering courses using distance education methodology since 1994 and 1997 for the PT and PTA programs, respectively, and has been included

within its scope since July 2002.

CAPTE was last reviewed for continued recognition at the fall 2012 meeting of the National Advisory Committee on Institutional Quality and Integrity (NACIQI). Both Department staff and the NACIQI recommended to the senior Department official to continue the agency's recognition and require it to come into compliance within 12 months, and submit a compliance report that demonstrates the agency's compliance with the issues cited in the staff report. The senior Department official, Acting Assistant Secretary David Bergeron, concurred with the recommendations. The compliance report was reviewed and accepted by both Department staff and NACIQI at the spring 2014 meeting.

Since the agency's last review, the Department has received no complaints and no 3rd party comments.

In conjunction with agency's petition, Department staff reviewed the agency's supporting documentation and observed a CAPTE meeting in April 2017.

PART II: SUMMARY OF FINDINGS

602.20 Enforcement of standards

Years in length.

This criterion requires that an agency either initiate immediate adverse action or allow a program a time period, not to exceed two years, to come into compliance with its standards and requirements, when the agency's review of a program under any standard indicates that the program is not in compliance with that standard.

The agency has written policy within Section 4.5(c)(3) of its rules of practice and procedure that provides a time period of no more than two years to return to compliance, but it does not state that the agency must either initiate immediate adverse action or allow such a time period. Specifically, Section 4.5(c)(3) states "If a Compliance Report is required, the Summary of Action includes the following notice:

TWO YEAR LIMITATION ON BEING OUT OF COMPLIANCE

CAPTE's recognition by the United States Department of Education requires a limitation of two years for programs to be out of compliance with a required element [34 CFR 602.20(a)(2)(iii)]." This policy appears to assume the program has been granted a time period to return to compliance without any indication that CAPTE either contemplated an adverse action or has the authority under the rules of practice and procedure to do so.

In addition, the agency's policies and procedures appear to require the use of a probationary status prior to an adverse action. Sections 4.5(c)(3) and 8.26 of its rules of practice and procedure list placing a program on probationary accreditation as the action directed should a program fail to make progress toward compliance or be out of compliance for 18 months. It appears the first time that an adverse action is an option to CAPTE is only after a program were noncompliant for two years, based on those sections as well as Section 8.16(c)(2) of its rules of practice and procedure.

Based on the example provided in Section 602.19(b) (Exhibit "Monitor 1 Example"), the agency appears to implement the enforcement time period at the point the agency finds the program out of compliance with a standard, which meets the requirements of this section. However, the agency did not provide any other documentation (agency decision letters, etc.) that it has implemented its policies and meets the requirements of this section, to include initiating adverse action and enforcing a time period to return to compliance.

Analyst Remarks to Response:

In response to the draft staff analysis, the agency provided information and documentation of the revision to its policies to meet the requirements of this section. The agency stated that since the policy revision, it has not had the opportunity to implement it. However, the agency did not provide information or documentation about the implementation of its previous policy in this area, nor did it indicate that it has never taken an adverse action against a program. The agency provided two comprehensive examples in Section 602.20(b), but neither of those included an adverse action nor enforcement of timeframes required by this section to demonstrate compliance.

The agency has a written policy within Section 8.16 of its rules of practice and procedure that meets the requirements of this section, and that makes clear the circumstances under which a good cause extension would be granted. The policy limits a good cause extension to two years.

The agency did not provide any examples of agency decision letters for programs granted good cause extensions, nor the review of programs at the end of the extensions, to demonstrate implementation of its enforcement policy and compliance with this section. In Section 602.19(b), the agency provided an example (exhibit "Monitor 1 Example") of a program placed on probationary

status and that was able to return to compliance within the time period provided by the agency, but not implementation of its good cause policy.

Analyst Remarks to Response:

In response to the draft staff analysis, the agency provided two examples of its use of good cause extensions. However, it is not clear in those two examples that CAPTE specifically reviewed each program for a good cause extension under its rules nor that each program was informed that it was granted a good cause extension. For example 1, the program was first found out of compliance in November 2013 (page 53). In the November 2015 commission decision letter (page 916), the agency notified the program that it had continued deficiencies and must resolve the deficiencies by March 2016, but there was no indication of the grant of a good cause extension. In the May 2016 commission decision letter (page 934), the agency notified the program that it has resolved its deficiencies based on a compliance report. Example 2 provided the same documentation as example 1 - notification of out of compliance in November 2012 (page 2); notification of continued deficiencies in November 2104, with no indication of a good cause extension (page 198); and resolution of all deficiencies in November 2016 (page 225). The agency must clearly communicate to a program whether it has been granted an extension for good cause or not, if it does not take immediate adverse action as required by this criterion.

PART III: THIRD PARTY COMMENTS

The Department did not receive any written third - party comments regarding this agency.