

U.S. Department of Education Staff Report

to the

Senior Department Official on Recognition Compliance Issues

Recommendation Page

1. **Agency:** National Association Of Schools Of Music, Commission on Accreditation (1952 / 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 throughout the United States of freestanding institutions that offer music and music related programs (both degree and non-degree-granting) including those offered via distance. This recognition also extends to the Commission on Community College Accreditation.
4. **Requested Scope of Recognition:** The accreditation throughout the United States of freestanding institutions that offer music and music related programs (both degree and non-degree-granting) including those offered via distance. This recognition also extends to the Commission on Community College Accreditation.
5. **Date of Advisory Committee Meeting:** 07/31/2019
6. **Staff Recommendation:** As noted above, staff recommends the inclusion of the Commission on Community College Accreditation in the agency's scope of recognition.

Continue the agency's recognition as a nationally recognized accrediting agency at this time, and require the agency to come into compliance within 12 months with the criteria listed below, and submit a compliance report due 30 days thereafter that demonstrates the agency's compliance.

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 amend its continuous deferral policy to clarify the adverse action initiated after an institution is found not in compliance and has exceeded the continuous deferral policy of two years. The agency must amend the terms of Appendix III.E. to clearly define rationale for granting or denying a good cause extension, limits on the frequency and use of good cause extensions, and provisions for monitoring the progress of an institution that has received an extension for good cause.
[§602.20(a)]

Executive Summary

PART I: GENERAL INFORMATION ABOUT THE AGENCY

The National Association of Schools of Music, Commission on Accreditation (NASM or the agency) is both a programmatic and institutional accreditor, however the agency is only requesting the accreditation of freestanding institutions as within its scope of recognition. The principal purpose of this agency is the accreditation of freestanding institutions that offer degree-granting and non-degree-granting music programs and the accreditation of music programs within institutions accredited by a national recognized regional accrediting agency. The agency's freestanding institutions may use its accreditation by the agency to establish eligibility to participate in Title IV, HEA financial aid programs. NASM accredits 14 institutions that are able to use its accreditation as their mechanism to establish eligibility to participate in Federal student aid programs. Five of these institutions currently establish eligibility through NASM accreditation.

Recognition History

NASM has been granted periodic renewal of recognition since its initial recognition in 1952. The last full review of the agency was conducted in December 2007 at which time the National Advisory Committee on Institutional Quality and Integrity (NACIQI or Committee) recommended and the Secretary concurred that the agency's recognition be renewed for five years and that its scope be expanded to include programs offered via distance education.

In conjunction with the current review of the agency for its continued recognition, Department staff reviewed the agency's petition and supporting documentation and observed a decision meeting in November 2018. The agency's petition for continued recognition is the subject of this analysis.

PART II: SUMMARY OF FINDINGS

602.20 Enforcement of standards

years in length.

As discussed in the narrative, the agency requires institutions to be in compliance with agency standards at all times during an accreditation period. However, if the Commission determines that an institution is not in compliance with one or more standards, if compliance is questionable, or there is a lack of sufficient information for a clear determination, the Commission will defer an application and require that the institution submit additional documentation and may be subject to additional monitoring (Exhibit 67: NASM Handbook 2017-18, Appendix III.E.). The agency has discussed "deferrals" as opportunities for the institution to bring itself into compliance with the agency's standards within a time period that must not exceed 12 months, if the program or the longest program offered by the institution is less than one year in length; 18 months if the institution has at least a one-year program; or two years if the program is at least two years in length (Exhibit 167: NASM Procedures for Institution, XIV (Commission Action), XV (Further Explanation of Deferral), XVI (Procedures Regarding Review of Accreditation Decisions), XVII (The Reaccreditation Cycle), XVII (Maintaining Accreditation Status). The agency monitors all institutions in deferral status as discussed in 602.19(b). The agency's Commission may also extend the period for good cause if it is determined and defined by the agency as "a concerted and comprehensive effort and activity on the part of the institution to maintain compliance with all relevant standards" and may be grant up to, but not to exceed, one year (Exhibit 67: NASM Handbook 2017-18, Appendix III.E).

However, the agency's deferral policy is applied in several ways as discussed in Exhibit 170: NASM What Does Deferral Mean, the document reads, "in the accreditation process, the Commission finds a situation in which an institution cannot be given initial accreditation or renewal of accreditation on the basis of evidence presented. This may be because the institution already does not meet the standards as outlined in the NASM Handbook, or because the institution does not appear to meet the standards as outlined in the NASM Handbook, or because sufficient information has not been provided." The policy seems to indicate that the Commission takes action to defer an adverse action on a known non-compliant issue and possibly exceeds the enforcement timelines allowed by this criterion. In Exhibit 63: Rules of Practice and Procedure, Part II, Article IV, Section 3, the policy for Commission Policy Concerning Continuous Deferrals notes the option to place an institution on probation after the second consecutive deferral, which is also a concern because the policy specifically acknowledges the institution's "failure to meet a specific standard" but probation is not an adverse action and is not compliant with this requirement.

In addition, the Guidelines for interpreting the continuous deferral policy (Exhibit 67: NASM Handbook 2017-18, Appendix III.E.) stipulates that, "normally" the total time for demonstrating compliance shall not exceed the time frames in this section of the Secretary's criteria. This statement makes the agency's policy non-compliant because it contradicts the agency's deferral policy as noted in Exhibit 170. In accordance with the Secretary's Criteria for Recognition, an agency is required to take immediate adverse action, or give the institution a specific time frame for coming into compliance. The agency must clarify its policies on what adverse actions are taken for an issue of non-compliance or when the enforcement timelines is initiated for allowing an institution to bring itself into compliance, as defined by the Department and required in this criterion.

The agency has provided documentation to demonstrate implementation of its policies and procedures for deferrals in Exhibit 171: NASM Commission Reports which indicate Deferral Actions, however there's no documentation demonstrating implementation of the agency's policy for enforcing timelines as submitted in Exhibit 67: NASM Handbook 2017-18, Appendix III.E. The agency must provide clarity on what adverse actions are taken for an issue of non-compliance or when it initiates the enforcement timelines allowing an institution to bring itself into compliance, as submitted by the agency's policy in Exhibit 67 and as required in this section. It should be noted that evidence provided for this criterion must adhere to the redaction and Freedom of information Act requirements referenced in the staff determinations for section 602.16 of the petition.

Analyst Remarks to Response:

As noted in the draft staff analysis, the agency defined its deferral policy as "an action taken by the Commission which indicates that at least one issue of apparent non-compliance exists" and starts the time period for the agency initiate an adverse action or grant an opportunity (in this case, a deferral) for the institution to come into compliance. However, if an institution has still not demonstrated full compliance with the agency's standard(s) after two consecutive deferrals of two years, the criterion requires the agency to initiate an adverse action or grant a good cause extension. Currently, the agency's Continuous Deferral policy (Appendix III.E.) allows the Commission to make the decision of "probation" which exceeds the two year maximum timeline and is not an adverse action as described in 602.3. The agency must amend its continuous deferral policy to clarify that an adverse action would be initiated after an institution is found not in compliance with an agency standard and has exceeded the continuous deferral policy of two years.

PART III: THIRD PARTY COMMENTS

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