

## U.S. Department of Education Staff Report

to the

Senior Department Official on Recognition Compliance Issues

### Recommendation Page

1. **Agency:** Commission on English Language Program Accreditation ( 2003 / 2011)  
(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 postsecondary, non-degree-granting English language programs and institutions in the United States.
4. **Requested Scope of Recognition:** Same as above.
5. **Date of Advisory Committee Meeting:** 02/22/2017
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 issue 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 does not meet the requirements of this section. The agency must establish and implement a policy for proper use of extensions for good cause that meets the requirements of this criterion. [§602.20(b)]

### Executive Summary

#### PART I: GENERAL INFORMATION ABOUT THE AGENCY

The Commission on English Language Program Accreditation (CEA) is a national programmatic and institutional accreditor that has been accrediting postsecondary non-degree-granting English language programs and institutions in the United States since 1999.

CEA focuses on institutions and programs that serve international students who need to improve their English language skills before beginning their studies and/or professional activities in the United States. The primary program, offered by colleges, universities and independent English language schools, is commonly called an Intensive English Program (IEP).

CEA accredits 127 programs and 170 institutions, for a total of 297 sites in the 40 states and the District of Columbia. It is the freestanding English language institutions' participation in the Department of Homeland Security, Bureau of Immigration and Citizenship Enforcement Certification Program, that CEA cites as its federal link for purposes of the Secretary's recognition process. It does not accredit institutions for the purpose of their seeking to participate in the Department of Education's Higher Education Act (HEA), Title IV programs and, therefore, does not have to meet the Secretary's separate and independent criteria.

#### Recognition History

The agency was first reviewed for recognition in June 2003, at which time the Secretary granted initial recognition to the agency for a period of two years. The Secretary also required CEA to provide an interim report addressing several compliance issues. At its December 2004 meeting, the National Advisory Committee on Institutional Quality and Integrity (NACIQI) recommended to the secretary that he accept the interim report on all issues except one and grant CEA a six-month extension for good cause and require it to demonstrate full compliance with Criterion §602.16(a)(1)(iii), regarding the establishment of its requirements for faculty qualifications in its next petition for continued recognition. At the NACIQI's Spring 2005 meeting, the agency's petition for continued recognition was reviewed and the NACIQI recommended and the Secretary granted the agency continued recognition for a period of five years.

The last full review of the agency was conducted at the December 2011 National Advisory Committee on Institutional Quality and Integrity (NACIQI or the Committee) meeting. Department staff and the Committee both recommended, and the Secretary concurred, that the agency's recognition be continued that it submit a compliance report addressing the issues identified in the

staff analysis in 2013. That information was accepted. The Fall 2016 petition is the agency's submission re-recognition. The agency has had one complaint brought to the Accreditation Group during this period of recognition. Department staff observed an agency site visit in October 2016 and a commission meeting in December 2016.

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## PART II: SUMMARY OF FINDINGS

### **602.20 Enforcement of standards**

The agency states in its narrative that it requires institution/programs that have reporting requirements to come into compliance within one year. The period of time for demonstrating compliance is 10 months, with 2 months provided to allow the agency to evaluate the institution's or program's progress toward demonstrating compliance. The agency either deems the institution or program compliant or the institution/program remains on warning with reporting requirements for a period not to exceed 1 year.

The agency states in its narrative that the length of the longest program among CEA institutions is at least two years. This is true for programs as well. Given that, 34 CFR 602.20 affords the institution or program two years' time to demonstrate compliance. The year for demonstration of compliance followed by an additional year of reporting would be within the two year time frame afforded by this criterion and would not exceed the two year requirement. After the two year period of noncompliance, the agency must either take an adverse action or grant an extension for good cause to the institution or program.

The agency has adopted standards that issue the following actions: warning, probation, and show cause, and the adverse action of withdrawal. (Exhibit 313) In the examples provided by the agency, the institutions/programs that had previously been placed on compliance warning/reporting for a 2 year period were issued warning letters (Exhibits 314-319). It appears in this instance, that the addition period of warning was used to afford the institution/program additional time to resolve minor remaining issues. However, this additional time to demonstrate compliance beyond the 2 year period would be considered an extension for good cause. It is important for CEA to understand; this practice must be clearly stated and documented as an extension for good cause. If the institution or program is not given an extension for good cause the CEA must take an immediate adverse action which in accordance with CEA terms would be a withdrawal of the institutions or programs accreditation and not placing the institution or program on "warning" as warning is not defined by the Department as an adverse action. However once CEA informs the institution it has been afforded an extension it can, at that time establish reporting requirements for the institution/program during the extension for good cause period.

#### **Analyst Remarks to Response:**

In response to the draft analysis, the agency has agreed that they are not in compliance with this section of the Criteria. The agency has not utilized the 'extension for good cause' for those institutions or programs that remain non-compliant outside of the 2 years and were afforded extra time to demonstrate compliance. At 2 years, the agency is required to take immediate action. In the few cases where this has not happened, the agency has been operating in a way that would be consistent with the good cause extension, but has not had policies or procedures to document this process. The agency has committed to a work group and plans to revisit this topic at its April 2017 Commission meeting.

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## PART III: THIRD PARTY COMMENTS

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