

<b>Name:</b> Accrediting Commission Of Career Schools and Colleges	<b>Meeting Date:</b> 06/23/2016	<b>Response Submit Date:</b> 06/03/2016	<b>Status:</b> Final Review	<b>Type:</b> Renewal Petition
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## U.S. Department of Education

Staff Report

to the

Senior Department Official

on

Recognition Compliance Issues

### Recommendation Page

1. **Agency:** Accrediting Commission Of Career Schools and Colleges
2. **Action Item:** Renewal Petition
3. **Current Scope of Recognition:** The accreditation of postsecondary, non-degree-granting institutions and degree-granting institutions in the United States, including those granting associate, baccalaureate and master's degrees, that are predominantly organized to educate students for occupational, trade and technical careers, and including institutions that offer programs via distance education.
4. **Requested Scope of Recognition:** Same as above.
5. **Date of Advisory Committee Meeting:** June 23, 2016
6. **Staff Recommendation:** 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 does not meet the requirements of this section of the criteria. The agency must amend its definition to better comport to the Secretary's public member definition. [§602.15(a)(5)]

### Executive Summary

#### **Part I: General Information About The Agency**

The Accrediting Commission of Career Schools and Colleges (ACCSC) is an institutional accrediting agency that accredits 685 institutions located throughout the United States, Puerto Rico, and the District of Columbia.

The agency's accredited schools offer certificates, academic associate degrees, occupational associate degrees, baccalaureate degrees and masters degrees and distance education programs, predominantly in occupational, trade and technical career areas.

Most of agency's accredited schools participate in the Department's Federal Student Aid program. As the Title IV gatekeeper for its accredited institutions, it must meet the separate and independent requirements of the Secretary's Criteria.

#### **Recognition History**

The Accrediting Commission of Career Schools and Colleges was previously known as the Accrediting Commission of Career Schools and Colleges of Technology (ACC SCT). Prior to that, it was called the Accrediting Commission for Trade and Technical Schools of the Career College Association and, prior to that time, the Accrediting Commission of the National Association of Trade and Technical Schools (NATTS).

NATTS was originally recognized in 1967 by the then-Commissioner of Education for its accreditation of trade and technical schools. Its scope of recognition was expanded in 1972 to include barber schools and again in 1978 to include all resident course offerings of private schools primarily engaged in trade or technical education.

In 1991, NATTS and the Association of Independent Colleges and Schools (AICS) became part of the Career College Association

(CCA). Although the two associations merged into one organization, their accrediting commissions remained separate, even though they both functioned under the CCA umbrella, and each commission continued to accredit the same schools that it accredited under its former organization. After the merger, NATTS became known as the Accrediting Commission for Trade and Technical Schools of the Career College Association. In 1993, in order to conform to new Department regulations, the agency became separate from and independent of the CCA and was renamed the Accrediting Commission of Career Schools and Colleges of Technology (ACCSC) and subsequently dropped the "T".

When the agency was last reviewed in 2004, the agency requested an expansion of its scope of recognition to include institutions that offer programs via distance education. In 2005 the Secretary granted the expansion of scope, found the agency to be fully compliant with the criteria for recognition, and granted the agency continued recognition for a period of five years. In 2006, the agency was granted an expansion of its scope for recognition to include the accreditation of masters degree programs. ACCSC last appeared before the NACIQI in the spring of 2011 when the NACIQI recommend to renew the agency's recognition for a period of five years. The agency petition to the Secretary for continued recognition is the subject of this report. The Department did not receive any written third-party comments regarding this agency.

ACCSC had five complaints filed with the Department during the period since its last recognition. In each instance the Department found the agency in compliance with all of its standards and procedures.

## **Part II: Summary Of Findings**

### **602.15(a)(1) Staffing/Financial Resources**

**The agency must have the administrative and fiscal capability to carry out its accreditation activities in light of its requested scope of recognition. 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;**

ACCSC maintains 31 full time employees including its Executive Director. It has 28 staff members at its Arlington location and 3 staff members located in regional sites. Staffing is adequate to service the number of institutions accredited by this agency. 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. The absence of these occurrences would indicate that staffing levels are sufficient.

The agency has a clearly defined organizational structure and the Job descriptions describes the relative duties of each staff member. Responsibilities of staff are clearly defined and include all functions and activities expected of recognized accreditation. While the agency has provided brief biographies for its senior administrative staff to demonstrate they are qualified to serve in their positions, the agency has not provided biographies for its entire administrative staff to evidence their qualifications.

The Commission's budget is sustained through income generated from fees and services from accredited institutions. The agency's budget and audited financial statements document its financial operations and indicate an increase in net assets and unrestricted assets that should ensure the agency's ability to conduct all of its accrediting responsibilities.

The agency must provide biographies to evidence the qualifications of its entire administrative staff.

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

In response to the staff's draft analysis. ACCSC provided in its narrative and supporting documentation (Exhibit 1a) the organizational chart and the biographies of the agency's administrative staff demonstrating an adequate staff qualified to carry out the accreditation responsibilities of the agency.

Department staff accepts the addition information and documentation provided, and no additional information is required.

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### **602.15(a)(2) Competency of Representatives**

**(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;**

The agency provided an ample amount of documentation to evidence training for those individuals involved in accreditation activities. The documentation provided includes 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 documentation also included training for site team members and commissioners regarding on-site reviews and legal issues.

ACCSC provided biographies to document that its commissioners have the appropriate education and experience to serve on the agency's commission. While the biographies do provide some information regarding the qualifications of the commissioners, Department staff is requiring the agency to provide Curricula Vitals (CV's) or resumes for the commissioners to provide additional information and background regarding their qualifications to serve in their identified roles.

As noted in the previous criterion, the agency did not provide resumes or CV's for the individuals that will serve on its appeals panels to demonstrate they are qualified to serve as appeal panel members.

Because of the diversity with the types of occupational institutions the agency accredits, site teams consist of the following entities: educational specialist (who also serve as distance education specialist if appropriately trained or have the required experience), occupational specialist, a state observer (from the state approval agency) which is a unique and uncommon practice, but does provide additional validity for the onsite review. In addition, a commission staff representative is also on the site team.

The agency has provided documentation (see exhibit 15T, 15CC,) which list educational specialist and occupational specialist, and their current positions at schools and employment to demonstrate they are qualified to serve as either educational or occupational specialist. Exhibit 15U is a sample application for a site team leader. The information provided on the application demonstrates that individuals selected as site team members are qualified to serve in that position.

The agency must provide additional information such as resumes or CV's for its Commissioners as noted previously. In addition, the agency must provide this information for appointed appeal panel members to evidence their qualifications.

**Analyst Remarks to Response:**

In response to the Department's staff draft analysis, ACCSC's narrative provided further clarification as to the competence, knowledge, and qualifications of its Commission members and appointed Appeals Panel members as required by this section of the criteria. The agency also provided additional information such as resumes or CV's for its Commissioners, and appeal panel members. (Exhibit 2a and b)

Department staff accepts the additional information and documentation provided, and no additional information is required.

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**602.15(a)(3) Academic/Administrator Representatives**

**(3) Academic and administrative personnel on its evaluation, policy, and decision-making bodies, if the agency**

## accredits institutions;

The agency's bylaws (see exhibit 15LLI) requires academic and administrator representation on its decision/policy making bodies. However, it is not clear whether the agency has a requirement for academic and administrator participation on its site review teams. The agency's Standards of Accreditation publication does not contain this requirement on page 16 when discussing site team requirements and procedures. The agency has provided documentation (Bios) to demonstrate that its policy/decision-making body (the Commission) includes both academics/administrators. Also, while the agency provided a list of appointed appeal panel members; that documentation did not identify the assigned roles of each member. The agency must clearly identify the assigned role (academic or administrator) for each appeal panel member. The standing appeals panel document also does not identify whether the members are academic or administrators.

For this criterion the agency provided several site team announcements (see exhibit 15HH). While the announcements identify the following site team members: education/occupational specialist, the site team leader, and commission representative they do not identify whether they are also filling academic or administrator roles. Since the agency is an institutional accrediting agency it must have academic and administrator participation on its site evaluation teams.

Department staff also notes that the individuals identified as educational/occupational specialist could also fill the role of academic or administrator. However, the agency must clearly identify their role to be in compliance with this criterion. In addition, the agency has provided site team reports in other sections, but those reports also do not identify the teams academics and administrator members. Until the required/requested documentation is provided a compliance determination cannot be made whether or not academic and administrative personnel are on its evaluation, policy and decision-making bodies that evaluate institutions.

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

In response to the Department's staff draft analysis, ACCSC, in order to clearly identify the role of academic or administrator on the agency's site teams and appeal Panels, the agency provided its revised policies ( Exhibit 3a) in its Policy Memo announcing changes to the Standards requiring that ( each site team will include an ACCSC staff member and may include evaluators from the following categories as determined by the Commission: a. Team Leader/Management Specialist (administrative); b. Education Specialist (academic); c. Occupation Specialist/Subject Matter Specialist; and d. Distance Education Specialist.) adopted by ACCSC at the May 2016 meeting, and made effective immediately. The agency also provided (Exhibit 3d) information on appeals panel members' designation from ACCSC two most recent appeals as evidence of ACCSC's long standing practice in this regard.

Exhibit 3e documents a roster of ACCSC Standing Appeals Panel Members that shows the designation of "academic" "administrative" and "public members.

Department staff accepts the addition information and documentation provided, and no additional information is required.

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## **602.15(a)(5) Public Representatives**

### **(5) Representatives of the public on all decision-making bodies; and**

The agency provided its by-laws and supporting documentation which dictate that its decision-making body including the appeal body, include public members as required by this section of the criteria. The agency's Standards of Accreditation also specify that its decision making bodies meet the one to seven ratio for public members. Although not provided in this criterion, the agency provide an attestation in 602.15(a)(6) Conflict of Interest to demonstrate the agency's vetting processes and that it ensures public members meet the Secretary's definition.

However, the agency did not provide its policy publication containing its definition of public member in order for Department staff to ascertain if the agency's definition comports to the Secretary's definition. The agency did provide documentation to demonstrate that its commission and appeals panel include public members.

**Analyst Remarks to Response:**

In response to the Department's staff draft analysis, ACCSC provided clarification that, at its May 2016 meeting the Commission adopted the language contained in its revised accrediting standards (Exhibit 3a) to show that ACCSC has formalized a policy to require academic and administrator personnel on the appeals panel, and which continues to require a public member on the sitting appeals panel. The agency also provided information on appeals panel members' designation from ACCSC's two most recent appeals as evidence of ACCSC's long standing practice in this regard. (Exhibit 3e) for a roster of ACCSC standing appeals panel members that shows the designation of "academic" "administrative" and "public." Under ACCSC's Rules, an appeals panel member may hold more than one designation - for example a member may be designated as the Chair of the Sitting Appeals Panel and as an administrative representative or a member may be designated as a public member and as an academic representative - but in no case will a member be designated as both an administrative and academic representative. ACCSC definition as it applies to representatives of the public serving on the Accrediting Commission is found in Section 1.01 of the Bylaws (Exhibit 4a, PDF page 132).

While the agency provided the location of its definition of public member, the language in the agency's definition does not specifically comport to the Secretary's definition. The agency must amend its definition to better comport to the Secretary's public member definition.

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**602.16(a)(1)(ii) Curricula****(a)(1)(ii) Curricula.**

ACCSC standards are sufficiently detailed and clear to assess curricula in verifiable ways. The agency requires its institutions to design and provide a curriculum that in all cases is designed to prepare students for employment. The agency's curriculum standards also include criteria related to general education requirements for the institutions' academic and occupational degree programs, and their distance education delivery systems. The agency has provided a site visit report (see exhibit 161) in particular, page seven which demonstrates the site teams review, and assessment of the institution regarding curriculum. The agency notes in its narrative that Exhibit 16Gi, PDF pages 40-125 & 298 - 301 (distance education) references the renewal SER as an example of how ACCSC requires that its accredited institutions address the Commission's curricula standards including the requirements for degree programs. In addition to the agency's curriculum standards are detailed and provides excellent guidance to institutions on what is required to meet the agency's standards.

As noted in the previous criterion the agency has provided an enormous amount of documentation to demonstrate compliance with this criterion, but it did not provide the final Commission decision letter associated with the site visit reports (in exhibit 161) provided as evidence to demonstrate is full cycle of review including the Commission's decision regarding this institution. . In addition, it also appears that the self-study and site visit reports provided are from different institutions. Therefore, Department staff is unable to verify that the site team reviewed the information in the self study as the documentation is from two different institutions.

As noted in 602.16 (a)(1) that the agency has provided documentation from several of its accredited institutions including Everest Institute (a Corinthian school) to demonstrate that it has an operational, systematic process, which allows it to apply its curriculum standards and policies in a consistent and equitable manner at all institutions.

The agency must provide the commission decision letter associated with the site visit report provided to demonstrate its full cycle of review and Commission decision for the institution. In addition, the site visit report and self-study must be from the same institution in order for Department staff to ascertain that the site team reviewed the information in the self-study

**Analyst Remarks to Response:**

In response to the Department's staff draft analysis, ACCSC provided, as requested by the Department, the commission decision letter associated with the site visit report provided demonstrating the agency's full cycle of review and Commission decision for the institution. (Exhibits 5 sections (a-c) (1-8) and the SER parts (1-8) In addition, the site visit report and self-study are from the same institution (Paier College of Art) so that the Department could verify that the site team reviewed the information provided by the institution in the self-study

Department staff accepts the addition information and documentation provided, and no additional information is required

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**602.16(a)(1)(iii) Faculty**

**(a)(1)(iii) Faculty.**

**Analyst Remarks to Narrative:**

ACCSC's faculty standards are sufficiently specific in identifying agency expectations for meeting its standards. The agency requires that its accredited institutions have qualified faculty who hold the appropriate credentials and have the necessary experience for the courses and level they are teaching. The agency also evaluates whether the institutions provide their faculty with self-development opportunities and participate in the development and review of its programs' curricula. The agency's standards also require annual written reviews of the faculty by their supervisors and that the reviews be made available to the students. The agency also has specific standards for its faculty engaged in the distance education delivery process. The agency provided documentation which includes a self-study and site team summary to evidence that it evaluates its institutions' compliance with its faculty standards (see page 4 of the site team summary).

However, the agency did not provide the final Commission decision letter associated with the site visit report provided to demonstrate its full cycle of review including the Commission's decision regarding this institution. In addition, it also appears that the self-study and site visit report provided are from different institutions. Therefore, Department staff is unable to verify that the site team reviewed the information in the self-study as the documentation is from two different institutions.

As noted previously has provided documentation from several of its accredited institutions to demonstrate that it has an operational, systematic process, which allows it to apply its curriculum standards and policies in a consistent and equitable manner at all institutions. Also noted in 602.16 (a) (1) the agency provided documentation to demonstrate that it has put in place policies to help ensure that the information it collects is accurate.

The agency must provide the commission decision letter associated with the site visit report provided to demonstrate its full cycle of review and Commission decision for this institution. In addition, the site visit report and self-study must be from the same institution in order for Department staff to ascertain that the site team reviewed the information in the self-study.

**Analyst Remarks to Response:**

In response to the Department's staff draft report, ACCSC provide the commission decision letter associated with the site visit report that was provided by the agency to demonstrate its full cycle of review and Commission decision for this institution. (Exhibits 6a (1-3) and 6 (b and c)). In addition, the site visit report and self-study are from the same institution (New York Institute of Massage) so that Department staff could verify that the site team reviewed the information in the self-study.

Department staff accepts the additional information and documentation provided, and no additional information is required.

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**602.16(a)(1)(iv) Facilities/Equipment/Supplies**

**(a)(1)(iv) Facilities, equipment, and supplies.**

ACCSC's facility standards establish specific requirements to ensure that students and staff have safe and adequate space, equipment and supplies to successfully complete the program. The agency requires that its institution be compliant with federal and state building and safety requirements. It also separately evaluates the institution's library, learning and technology resources, distance education delivery systems, administrative facilities and student service facilities. The agency provided documentation which includes a self-study and site team summary to evidence that it evaluates its institutions' compliance with its facilities standards.

However the agency did not provide the final Commission decision letter associated with the site visit report to demonstrate its full cycle of review including the Commission's decision regarding this institution. In addition, it also appears that the self-study and site visit report provided are from different institutions. Therefore, Department staff is unable to verify that the site team reviewed the information in the self-study as the documentation is from two different institutions.

As noted previously has provided documentation from several of its accredited institutions to demonstrate that it has an operational, systematic process, which allows it to apply its curriculum standards and policies in a consistent and equitable manner at all institutions. Also noted in 602.16 (a) (1) the agency provided documentation to demonstrate that it has put in place policies to help ensure that the information it collects is accurate.

The agency must provide the commission decision letter associated with the provided site visit reports to demonstrate its full cycle of review and Commission decision for this institution. In addition, the site visit report and self-study must be from the same institution in order for Department staff to ascertain that the site team reviewed the information in the self-study.

**Analyst Remarks to Response:**

In response to the Department's staff draft analysis, ACCSC provide the commission decision letter associated with the site visit

report that was provided by the agency to demonstrate its full cycle of review and Commission decision for this institution.(Exhibit 7 a(1-7)( part 1-7and (b)(7c) and 8(a-c) .In addition, the site visit report and self-study are from the same institution (Florida College of Natural Health) so that Department staff could verify that the site team reviewed the information in the self-study.

Department staff accepts the addition information and documentation provided, and no additional information is required

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### **602.16(a)(1)(v) Student Complaints**

#### **(a)(1)(v) Fiscal and administrative capacity as appropriate to the specified scale of operations.**

##### **Analyst Remarks to Narrative:**

ACCSC has sufficiently defined standards relative to its accredited programs/institutions fiscal and administrative capacity to assess the soundness of a financial and administrative operation. The agency provided an ample amount of documentation verifying the evaluation of an institution's financial soundness including the agency's Standards, self study section on fiscal and administrative requirements the thorough review and evaluation of an institution's ability to demonstrate financial stability and adequate administrative support to accomplish its mission and objectives. .

The agency provided commission decision letters demonstrating the commission's decision regarding institutions compliance based on information received from other sources and annual reports. However, the agency did not provide a commission decision letter associated with the site visit reports provided as evidence in this criterion to demonstrate its full cycle of review including the Commission's decision. In addition, it also appears that the self-study and site visit report provided are from different institutions. Therefore, Department staff is unable to verify that the site team reviewed the information in the self-study as the documentation is from two different institutions.

As noted previously the agency has provided documentation from several of its accredited institutions to demonstrate that it has an operational, systematic process, which allows it to apply its curriculum standards and policies in a consistent and equitable manner at all institutions. Also noted in 602.16 (a) (1) the agency provided documentation to demonstrate that it has put in place policies to help ensure that the information it collects is accurate.

The agency must provide the commission decision letter associated with site visit reports and self-provided in this criterion to demonstrate its full cycle of review and Commission decision. In addition, the site visit report and self-study must be from the same institution in order for Department staff to ascertain that the site team reviewed the information in the self-study

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

In response to the Department's staff draft analysis, ACCSC provided further clarification on how the agency is in compliance with this section. ACCSC provided the commission decision letter associated with the site visit report that was provided by the agency to demonstrate its full cycle of review and Commission decision for this institution . The narrative and the exhibits provided by the Commission demonstrate its application of the requirements of this section of the criteria. In addition, the site visit report and self-study are from the same institution (Antonelli Medical and Professional Institute) enabling Department staff to verify that the site team reviewed the information in the self-study.

Department staff accepts the addition information and documentation provided, and no additional information is required

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### **602.16(a)(1)(vi) Fiscal/Administrative Capacity**

#### **(a)(1)(vi) Student support services.**

ACCSC's student support service standards establish clear expectations as to what its accredited programs/institutions must provide their students. The agency evaluates the ability to provide students with accurate and complete information regarding campus policies, including admissions, attendance, academic grading, health and safety reports, health services, permanently maintained academic records and guidance. Also, the agency requires the institution/program to advise students of the services available to them, which may include personal and academic guidance, housing, employment, licensure requirements, and post-graduation employment. ACCSC institutions must also address, among other things, articulation and transfer, technical support, and general support services (i.e., library and learning services, academic advising, and training). The evaluation of the agency's student support services requirements is evidenced in the site visit report (see exhibit 16V).

However, the agency did not provide the final Commission decision letter associated with the site visit report provided as evidence for this criterion to demonstrate its full cycle of review including the Commission's decision regarding this institution. In addition, it also appears that the self-study and site visit report provided are from different institutions. Therefore Department staff is unable to verify

that the site team reviewed the information in the self-study as the documentation is from two different institutions.

As noted previously the agency has provided documentation from several of its accredited institutions to demonstrate that it has an operational, systematic process, which allows it to apply its curriculum standards and policies in a consistent and equitable manner at all institutions. Also noted in 602.16 (a) (1), the agency provided documentation to demonstrate that it has put in place policies to help ensure that the information it collects is accurate.

**Analyst Remarks to Response:**

In response to the Department's staff draft analysis, ACCSC provided further clarification on how the agency is in compliance with this section. ACCSC provided the commission decision letter associated with the site visit report that was provided by the agency to demonstrate its full cycle of review and Commission decision for this institution. The narrative and the exhibits provided by the Commission demonstrate its application of the requirements of this section of the criteria. In addition, the site visit report and self-study are from the same institution (Colegio Cinematografía, Artes, y Televisión) enabling Department staff to verify that the site team reviewed the information in the self-study.

Department staff accepts the addition information and documentation provided, and no additional information is required

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**602.16(a)(1)(vii) Student Support Services**

**(a)(1)(vii) Recruiting and admissions practices, academic calendars, catalogs, publications, grading, and advertising.**

ACCSC has clearly defined standards addressing recruiting and admissions. The agency evaluates its programs/institutions for the accuracy and comprehensiveness of information they provide to prospective students and the public. Programs/institutions are required to have publications about admission and transfer policies, and requirements for degree programs, and that this information be clearly stated and made readily available.

The agency evaluates whether the institutions recruiting practices are ethical and contain accurate descriptions of the institution's fees, mission, instructional outcomes, student performance expectations and completion requirements for each program. The agency also requires the institutions to observe specific guidelines for their catalogs, academic calendars, and publications. The agency provided documentation, including several site evaluation reports demonstrating its application of its standards relative to this criterion. The agency also provided additional documentation such as catalogs and enrollment agreements.

However the agency did not provide the final Commission decision letter associated with the site visit report provided as evidence for this criterion to demonstrate its full cycle of review including the Commission's decision regarding this institution. In addition, it also appears that the self-study and site visit report provided are from different institutions. Therefore, Department staff is unable to verify that the site team reviewed the information in the self-study as the documentation is from two different institutions. Therefore Department staff is unable to verify that the site team's reviewed the information in the self-study as the documentation is from two different institutions.

As noted previously the agency has provided documentation from several of its accredited institutions to demonstrate that it has an operational, systematic process, which allows it to apply its curriculum standards and policies in a consistent and equitable manner at all institutions. Also noted in 602.16 (a) (1), the agency provided documentation to demonstrate that it has put in place policies to help ensure that the information it collects is accurate.

**Analyst Remarks to Response:**

In response to the Department's staff draft analysis, ACCSC provided further clarification on how the agency is in compliance with this section. ACCSC provided the commission decision letter associated with the site visit report that was provided by the agency to demonstrate its full cycle of review and Commission decision for this institution. The narrative and the exhibits provided by the Commission demonstrate its application of the requirements of this section of the criteria. In addition, the site visit report and self-study are from the same institution (Millennium Training Institute) enabling Department staff to verify that the site team reviewed the information in the self-study.

Department staff accepts the addition information and documentation provided, and no additional information is required

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**602.16(a)(1)(viii) Recruiting & Other Practices**

**(a)(1)(viii) Measures of program length and the objectives of the degrees or credentials offered.**

ACCSC has clearly defined standards addressing its requirements regarding program length and the objectives of the credential including those offered by distance education and independent study. The agency requires its institutions to ensure that the program length is appropriate to allow students to achieve the necessary skills, knowledge and abilities to enter employment in occupational fields for which they were trained. Degree programs must be comprised of courses with content that is appropriate to the level and type of degree awarded. The agency provided a site team evaluation report that demonstrates its review of an institution relative to this criterion. The agency also provided a catalog checklist, and a clock hour to credit hour checklist which was reviewed and approved by the agency.

However, the agency did not provide the final Commission decision letter associated with the site visit report provided as evidence for this criterion to demonstrate its full cycle of review including the Commission's decision regarding this institution. In addition, it also appears that the self-study and site visit report provided are from different institutions. Therefore, Department staff is unable to verify that the site team reviewed the information in the self-study as the documentation is from two different institutions. Therefore, Department staff is unable to verify that the site team's reviewed the information in the self-study as the documentation is from two different institutions.

As noted previously the agency has provided documentation from several of its accredited institutions to demonstrate that it has an operational, systematic process, which allows it to apply its curriculum standards and policies in a consistent and equitable manner at all institutions. Also noted in 602.16 (a) (1), the agency provided documentation to demonstrate that it has put in place policies to help ensure that the information it collects is accurate.

**Analyst Remarks to Response:**

In response to the Department's staff draft analysis, ACCSC provided further clarification on how the agency is in compliance with this section. ACCSC provided the commission decision letter associated with the site visit report that was provided by the agency to demonstrate its full cycle of review and Commission decision for this institution . The narrative and the exhibits provided by the Commission demonstrate its application of the requirements of this section of the criteria. In addition, the site visit report and self-study are from the same institution (California Career Schools) enabling Department staff to verify that the site team reviewed the information in the self-study.

Department staff accepts the addition information and documentation provided, and no additional information is required

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**602.16(a)(1)(x) Title IV Responsibilities**

**(a)(1)(x) Record of compliance with the institution's program responsibilities under Title IV of the Act, based on the most recent student loan default rate data provided by the Secretary, the results of financial or compliance audits, program reviews, and any other information that the Secretary may provide to the agency; and**

ACCSC's documentation verifies that for those institutions for which it is the primary accreditor is evaluated for their compliance with their obligations under Title IV, including results of compliance audits and programs reviews. In addition, the ACCSC requires each accredited body for which the agency serves as gatekeeper, to provide with its annual reports, the default rate for federal student financial aid and a summary of any USDE financial aid reviews. The agency did provided supporting documentation.

However, ACCSC's executive director was interviewed on April 18, 2013 by attorneys from the Departments of Education and Justice who were investigating inaccurate or false placement claims by Everest Institute of Decatur, Georgia, part of the Corinthian chain. The agency needs to discuss why during the interview the ACCSC official provided no information, in light of the fact that as of that time the institution in question had an almost ten year history of noncompliance and inaccuracy with respect to performance on ACCSC's student achievement standards, and repeated deferrals and sanctions, in possible violation of 602.20, as shown by [attached – however these documents are renamed]. Until this issue is resolved, the agency cannot be found in compliance with this section.

**Analyst Remarks to Response:**

In response to the Department's staff draft analysis, ACCSC narrative and supporting documentation, with regard to information-sharing, provides an explanation which the Department accepts at this time.

The agency's narrative asserts that the agency took appropriate action with respect to the Everest College located in Decatur, Georgia . However, in a December, 2011 letter (Ex. 21m page 4), the agency noted that supplemental information provided to it with respect to that institution by a corporate-wide oversight team from Corinthian, in response to challenges to the accuracy of placement data with respect to the Decatur institution, itself raised questions. In the December, 2011 letter the agency demanded

third party verification of placement data submitted. Subsequently, however, in June, 2012, the agency accepted a teach-out plan for the Decatur institution (Ex. 21j), but did not follow up on its demand for placement data verification. (Uploaded by Department staff is a August 22, 2004 letter to Corinthian Colleges by the Department (Pages 4-8)). Had it done so, the agency would have confirmed its suspicions about placement rate falsification that would have implicated the corporate oversight team. This follow up may well have called into question the system-wide integrity of the Corinthian schools two to three years before those concerns were brought to light by other means. This issue goes to the issue of monitoring, but in the context of the information available to the Department as a whole regarding the agency's monitoring the Department does not make a finding of ineffectiveness on that criterion.

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### **602.19(b) Monitoring**

**(b) The agency must demonstrate it has, and effectively applies, a set of monitoring and evaluation approaches that enables the agency to identify problems with an institution's or program's continued compliance with agency standards and that takes into account institutional or program strengths and stability. These approaches must include periodic reports, and collection and analysis of key data and indicators, identified by the agency, including, but not limited to, fiscal information and measures of student achievement, consistent with the provisions of §602.16(f). This provision does not require institutions or programs to provide annual reports on each specific accreditation criterion.**

ACCSC has a multi-faceted approach to monitoring that includes, for example, its review and approval of substantive changes; unannounced visits to institutions, annual reporting on a variety of data indicators including financial and student outcomes data; interim reporting of compliance issues to include management of cohort default rates. The agency's approach is to target and apply increased monitoring/reporting of specific schools that are not meeting agency standards/expectations. The agency provided an annual report template and other documentation to demonstrate that it collects and follows up on a variety of reporting areas including for example, financial, student achievement, retention and job placement data. The agency lists the breadth of actions it takes as the result of its monitoring efforts and provided documentation demonstrating the application of its standards and the requirements of this section of the criteria.

As note in 602.16 (a) (1) the agency provided documentation to demonstrate the actions it takes when institution fail to meet its student achievement standards or any of its accreditation standards. The documentation provided included the following: warning cessation of enrollment for Colegio Mayor de Tecnologia; outcomes reporting for International Culinary Center; and graduation/employment rates for Delta Technical College.

The agency also provided information regarding changes to its standards to better ensure that the data which it collects is correct and accurate. The policy change requires for independent employment verification effective January 1, 2014. In addition, the agency provided documentation regarding its Progress Committee & Commission review of the agency's outcomes report processes.

In response to the Department staff's request, ACCSC also provided documents related to the agency's monitoring of its Corinthian schools, evaluated by the agency during this review cycle. The documentation also demonstrates application of ACCSC's monitoring and evaluation approaches that enables the agency to identify problems with an institution's or program's continued compliance with agency standards and that takes into account institutional or program strengths and stability. (Documents Uploaded by Analyst)

However, over the last five years, there have been a number of sizable settlements or judgments in cases involving claims of falsified placement data by ACCSC-accredited institutions. This included a qui tam case against Corinthian in which the Department confirmed the placement falsifications; a \$2.5M settlement of the NY Attorney General's action against CEC; a consent decree worth \$4.5M in the CO Attorney General's action against Alta/Westwood; a default judgment against Corinthian for \$1.1B in a CA Attorney General action; and a \$13 million settlement against Education Affiliates in four qui tam lawsuits prosecuted by the Department of Justice. There have also been a number of State attorneys general and others who have obtained significant recoveries against ACCSC-accredited institutions based on misrepresentation to prospective students and abusive recruiting. For example, the Department of Justice recovered \$95.5 million in a settlement of 4 qui tam lawsuits against EDMC Management Corporation. A student won \$2 million in punitive damages against Vatterott College in Kansas City for violations of this nature.

The Department has received information from ACCSC indicating that ACCSC took substantial action with respect to the allegations of falsification and misrepresentation aired in several of the above cases, including with respect to the large chain of Corinthian institutions. The agency's actions included 3rd party verification and various enforcement actions. The Department also acknowledges that ACCSC timely reviewed its standards and policies in light of the litigation.

However, before a determination can be made that ACCSC meets this criterion it must provide information to the Department regarding (1) its responses to allegations of falsification, misrepresentations and recruiting abuses that resulted in the settlements discussed above with respect to Education Affiliates and the Alta/Westwood Colorado institutions; (2) the outcome of the show cause letter the agency issued in May, 2012 to the CEC institutions; and (3) how it has responded to date with respect to each investigation or action by a State or federal authority it knows to be pending currently and to be a matter of public record concerning ACCSC-accredited institutions.

**Analyst Remarks to Response:**

In response to the Department's staff draft analysis, ACCSC provided the documentation requested. Some cases featured renewals with reporting, deferrals, lifting of sanctions and/or resolution through closure of institutions or programs that enabled lengthy periods of accreditation notwithstanding repeated and numerous problems. Nonetheless the agency worked hard to follow up regarding the institutions in question, did not conceal that it had concerns from the public, and provided information to oversight agencies. The agency has documented compliance with this criterion.

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**602.20(a) Enforcement Timelines**

**(a) If the agency's review of an institution or program under any standard indicates that the institution or program is not in compliance with that standard, the agency must--**

**(1) Immediately initiate adverse action against the institution or program; or**

**(2) Require the institution or program to take appropriate action to bring itself into compliance with the agency's standards within a time period that must not exceed--**

**(i) Twelve months, if the program, or the longest program offered by the institution, is less than one year in length;**

**(ii) Eighteen months, if the program, or the longest program offered by the institution, is at least one year, but less than two years, in length; or**

**(iii) Two years, if the program, or the longest program offered by the institution, is at least two years in length.**

ACCSC's written policies clearly reflect that the total time allowed for all corrective action begins with identification of a non-compliance with agency standards, and clearly include the timeframes required by this section (see page 60 exhibit 15) which meets the timelines required by this criterion. The agency provided supporting documentation to demonstrate the application of its standards and the requirements of this section of the criteria however, the length of the programs in question are not apparent; therefore, Department staff cannot ascertain whether the agency actions were taken within the timelines require by this criterion and the agency's policy.

The agency must provide the length of the programs which are the subject of the actions in order for Department staff to ascertain whether the agency actions were taken within the timelines require by this criterion and the agency's policy

**Analyst Remarks to Response:**

In response to the Department's staff draft analysis, ACCSC provided further clarification on how the agency is in compliance with this section. ACCSC provided the documentation demonstrating the length of the programs which are the subject of the actions against the institutions in order for Department staff to ascertain that the agency actions were taken within the timelines require by this criterion and the agency's policy. The exhibits verify time frames for Probation Renewal (Exhibit 20A); Warning Program Revocation (Exhibit 20B); Good Cause (Exhibit 20C); Probation (Exhibit 30a); Program Revocation (Exhibit 30b) and Good Cause (Exhibit). The agency also clarifies that In a rare circumstance where a school demonstrated a good cause showing that warranted an extension of the maximum timeframe, the Commission only granted a 90 day extension to ensure consideration at the Commission's next scheduled meeting and required the school to immediately begin the renewal of accreditation process.

The Departments review of the agency's narrative and the discussions for each of the exhibits verified that ACCSC took immediate adverse action against the institution or program, and require the institution or program to take appropriate action to bring itself into compliance with the agency's standards within a time period that must not exceed the requirements of this section.

Department staff accepts the addition information and documentation provided, and no additional information is required

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### **Part III: Third Party Comments**

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