

<b>Name:</b> Middle States Commission on Secondary Schools	<b>Meeting Date:</b> 06/20/2017	<b>Response Submit Date:</b> 05/11/2017	<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

<h2>Recommendation Page</h2>
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1. **Agency:** Middle States Commission on Secondary Schools
2. **Action Item:** Renewal Petition
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:** June 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 it training of its Commissioners, Appeal Panel, and Site Team representatives. [§602.15(a)(2)]

<h2>Executive Summary</h2>
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**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(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;**

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.

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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;**

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, it's 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.

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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;**

MSCSS cannot attest to this section of the criteria. The agency must demonstrate that it requires academic and administrator representation on its decision/policy making bodies, and site teams. The agency's documentation must also clearly identify the assigned roles of each member. The agency's documentation should include: bios and/or resumes of its commissions, appeal panel members, and site team members to include those members with expertise in Distance Education

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

In response to the draft analysis, the MSCSS provided its policies requiring academic and administrator representation on the Secondary Commission , Appeals Panels and site evaluation teams, (Exhibits (e) (1-4). Resumes of current members of the Secondary Commission are provided in (60215(a)(2)) (Sec. 3. Exhibit e.5) which document experience and qualifications to fill academic and administrator roles. The agency also provided a sample site team roster (Exhibit b.2) that clearly identifies academic and administrator participation on the agency's site team. The agency did not provide any documentation of a sitting Appeals Panel citing that it has not had the opportunity to date to sit a panel.

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### **602.15(a)(4) Educator/Practitioner Representatives**

**(4) Educators and practitioners on its evaluation, policy, and decision-making bodies, if the agency accredits programs or single-purpose institutions that prepare students for a specific profession;**

MSCSS cannot attest to this section of the criteria. The section of the criteria requires an agency to demonstrate that it has educators and practitioners on its evaluation, policy, and decision-making bodies if the agency accredits programs or single-purpose institutions that prepare students for a specific profession. The agency must provide its written policy and documentation to demonstrate that it requires educators and practitioners on its decision, policy, and evaluation bodies.( Please see note below)

Note: While MSCSS is an institutional accreditor of postsecondary institutions that offer vocational education programs that prepare students for a specific profession or vocation, prior to 2012, it had only required practitioners on its decision-making and evaluation bodies and not educators. In the Department's 2012 review of the agency Department staff had determined that an agency such as MSCSS, which accredits primarily institutions that offer multiple types of vocational education programs, as opposed to single-purpose institutions may not require educators. However, at the recommendation of Department staff MSCSS revised its policies to include educators on evaluation, policy, and decision-making bodies. The agency was commended for its good practice inclusion and the Department noted that it expected the agency to continue including educators and/or practitioners on their site teams who have the specific expertise in the vocational programs being reviewed.

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

In response to the draft analysis, the MSCSS provided its policies requiring educator and practitioner representation on the Secondary Commission, as well as Appeals Panels and site evaluation teams, (Exhibit e.4). Resumes of current members of the Secondary Commission are provided in (60215(a)(2)) (Sec. 3. Exhibit e.5) that identify educator and practitioner representation. The agency also provided a sample site team roster (Exhibit f.2) that clearly identifies the roles of an educator and practitioner on the agency's site team. The agency did not provide any documentation of a sitting appeals panel citing that it has not had the opportunity to date to sit a Appeals Panel .

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

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

MSCSS cannot attest to this section of the criteria. The agency must demonstrate that its standards dictate that its decision-making body including the appeal body, include public members and that the agency's definition of a public member comports to the Secretary's definition as required by this section of the criteria. Also, its standards must specify that its decision making bodies meet the one to seven ratio for public members. The agency must provide the necessary documentation to demonstrate its compliance.

**Analyst Remarks to Response:**

In response to the draft analysis, MSCSS provided its policies (Exhibits e.1 and e.3) that demonstrate that its standards dictate that its decision-making body including the appeal body, include public members. The agency policies also demonstrate that the agency's definition of a public member comports to the Secretary's definition as required by this section of the criteria.

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**602.15(a)(6) Conflict of Interest**

**(6) Clear and effective controls against conflicts of interest, or the appearance of conflicts of interest, by the agency's--**

- (i) Board members;**
- (ii) Commissioners;**
- (iii) Evaluation team members;**
- (iv) Consultants;**
- (v) Administrative staff; and**
- (vi) Other agency representatives; and**

MSCSS cannot attest to this section of the criteria. The agency must demonstrate that its policies and procedures maintain clear and effective controls against potential conflicts of interest by Commissioners, Appeals Panel members, evaluation team members, and staff. Also, that the agency requires and provides training on conflicts of interest.. Documentation should include; signed conflict of interest and or code of conduct documents for commissioners, appeal panel members, site team members and administrative staff. Evidence of recusals should also be provided if recusals have occurred..

**Analyst Remarks to Response:**

In response to the draft analysis, the MSCSS provided documentation addressing its controls against potential conflicts of interest including the following: sample conflict of interest forms for commissioners, site evaluation team members and staff. (Exhibit 16: Section 3 Exhibit b.4 Sec.3.b.4 Conflict of Interest Statement.docx) (Exhibit 17: Section 3 Exhibit b.5 Sec.3.b.5 Conflict of Interest - DSAC.pdf) and (Exhibit 18: Section 3 Exhibit b.6 Sec.3.b.6 Conflict of Interest - Team Member.pdf) . The agency noted that it has not had the opportunity to sit an appeals panel. The agency also provided evidence of a recusal of a commission member during a

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**602.16(a)(1)(i) Student Achievement**

**(a) The agency must demonstrate that it has standards for accreditation, and preaccreditation, if offered, that are sufficiently rigorous to ensure that the agency is a reliable authority regarding the quality of the education or training provided by the institutions or programs it accredits. The agency meets this requirement if -**

**(1) The agency's accreditation standards effectively address the quality of the institution or program in the following areas:**

**(i) Success with respect to student achievement in relation to the institution's mission, which may include different standards for different institutions or programs, as established by the institution, including, as appropriate, consideration of course completion, State licensing examination, and job placement rates.**

MSCSS places significant emphasis on continuously monitoring and evaluating student outcomes at all levels. The agency has specific benchmark of 70% rates for graduation, placement, and licensure (Exhibit 28, page 69). The agency's standards, policies and procedures reflect a detailed process for the collection and evaluation of student achievement data. However, the agency's did not provide any documentation that demonstrates its effective application of its student achievement standards at an institution, or its review of an institution's distance education programs.

The agency must provide documentation (such as site visit reports) to demonstrate the application of its student achievement standards at its accredited institutions.

**Analyst Remarks to Response:**

In the draft analysis Department staff reported that the MSCSS places significant emphasis on continuously monitoring and evaluating student outcomes at all levels. The agency has specific benchmark of 70% rates for graduation, placement, and licensure (Exhibit 28, page 69). The agency's standards, policies and procedures reflect a detailed process for the collection and evaluation of student achievement data. During the self-study, the institution conducts a self-assessment of compliance with each Standard for Accreditation and the Indicators of Quality for each curriculum/learning area/program. The self-assessment leads to identification of significant strengths and significant areas in need of improvement. The institution also identifies the most important steps, or strategic-priorities related to each area of focus and develops action plans for standards/indicators with which it is not in compliance, the self- assessment narrative for each of the agency's standards is also incorporated in the site team report (Sec. 4 Exhibit a.2).

In response to the draft analysis the agency provided a site team report demonstrating the agency's review of one career and technical institution, Berks Career Technology Institute (BCTI) (Sec 4 Exhibit h.2) and the Commission's decision letter (uploaded (602.16(a)(1)(i)) to the institution demonstrating its effective application of its review of the institution's compliance with its standards for accreditation The agency also provided the institution's annual report which is the agency's principal monitoring instrument (Sec 4 Exhibit h.3). The agency has not had the opportunity to review a distance education program this recognition cycle (MSCSS's Distance Education Standards have been determined compliant by the Department). The MSCSS's Standards for Accreditation and Distance Education can be found at (Exhibit 28: Sec 4 (a)(1 )).

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

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

MSCSS's reports that its Educational Program Standard for Accreditation of Career and Technical Institutions defines expectations for the quality of the institution's curricula and that its standards are sufficiently detailed and clear to assess curricula in verifiable ways. It also requires its institutions to design and provide a curriculum that in all cases is designed to prepare students for employment. However, the agency did not provide evidence of its written curriculum standards in this section, including its curriculum requirements for distance education delivery. The agency also did not provide any documentation (such as site visit reports that demonstrates its evaluation of institutions against its curricula standards).

The agency must provide documentary evidence (such as site visit reports) of its review and evaluation of an institution against its curriculum standards. The agency must also provide its written policy/ standards for curriculum as evidence

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

In the draft analysis Department staff reported that the MSCSS's Educational Program Standard for Accreditation of Career and Technical Institutions defines expectations for the quality of the institution's curricula and that its standards are sufficiently detailed and clear to assess curricula in verifiable ways. The MSCSS also requires its institutions to design and provide a curriculum that in all cases is designed to prepare students for employment.

In response to the draft analysis the agency provided an site team report (Sec 4 Exhibit h.2 and h.4), and the Commission's decision letter (uploaded Sec 602.16(a)(1)(i)) to the institution demonstrating its effective application of its review of the institution's compliance with its standards for accreditation and with its curricula standards.) The agency has not had the opportunity to review a distance education program this recognition cycle (MSCSS's Distance Education Standards have been determined compliant by the Department). The MSCSS's Standards for Accreditation and Distance Education can be found at (Exhibit 28: Sec 4 (a)(1)).

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

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

The agency standards defines expectations for the quality of the institution's faculty, which include the requirement that members of the teaching staff possess the qualifications of education, preparation and appropriate experience, including expertise in distance education delivery. However, the agency's did not provide its written standards in this section as evidence of its faculty requirements, or any documentation that demonstrates its effective application of its evaluation of an institution against its faculty standards.

The agency must provide documentary evidence (such as site visit reports) of its review and evaluation of institutions against its faculty standards. The agency must also provide its written policy/ standards for faculty as evidence.

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

In the draft analysis it was noted that the MSCSS's faculty standards defines expectations for the quality of the institution's faculty, which include the requirement that members of the teaching staff possess the qualifications of education, preparation and appropriate experience, including expertise in distance education delivery.

In response to the draft analysis the agency provided an site team report (Sec 4 Exhibit h.2,h.4 and h.5), and the Commission's decision letter (uploaded Sec 602.16(a)(1)(i)) to the institution demonstrating its effective application of its review of the institution's compliance with its standards for accreditation and with its faculty standards.) The agency has not had the opportunity to review a distance education program this recognition cycle (MSCSS's Distance Education Standards have been determined compliant by the Department). The MSCSS's Standards for Accreditation and Distance Education can be found at (Exhibit 28: Sec 4 (a)(1)).

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

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

MSCSS two facilities standards are sufficiently detailed and clear to assess the facilities health and safety within the institution The

agency's standards also define expectations for the quality and adequacy of an institution's facilities, equipment, and supplies including the overall safety issues in the institution.

However, the agency did not provide any documentation in this section (such as site visit reports) that demonstrates its effective application of its evaluation of an institution against its Facilities/Equipment/Supplies standards. In addition, the agency did not provide its written standards to evidence its faculty requirements, which also should include the agency's requirements for those facilities equipment and supplies dedicated to the institutions distance education delivery system.

The agency must provide documentary evidence (such as site visit reports) of its review and evaluation of institutions against its facilities/equipment/supplies standards. The agency must also provide its written policy/ standards for facilities/equipment/supplies as evidence.

**Analyst Remarks to Response:**

In the draft analysis it was noted that the MSCSS's two facilities standards are sufficiently detailed and clear to assess the facilities health and safety within the institution The agency's standards also define expectations for the quality and adequacy of an institution's facilities, equipment, and supplies including the overall safety issues in the institution.

In response to the draft analysis the agency provided an site team report (Sec 4 Exhibit h.6 and h.7) and the Commission's decision letter (uploaded Sec 602.16(a)(1)(i)) to the institution demonstrating its effective application of its review of the institution's compliance with its standards for accreditation and with its facilities standards.) The agency has not had the opportunity to review a distance education program this recognition cycle (MSCSS's Distance Education Standards have been determined compliant by the Department). The MSCSS's Standards for Accreditation and Distance Education can be found at (Exhibit 28: Sec 4 (a) (1)).

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**602.16(a)(1)(ix) Student Complaints**

**(a)(1)(ix) Record of student complaints received by, or available to, the agency.**

MSCSS standards are sufficiently detailed and clear to assess the institutions record of student complaints received by, or available to, the agency. The policy also requires the institution to maintain a record of complaints/grievances by students, their families, and members of the institution's community of stakeholders.

However, the agency's did not provide any documentation in this section that demonstrates its evaluation of an institution against its student complaint standards. In addition, the agency did not provide its written policy/ standards as evidence.

MSCSS does not meet the requirements of this section. The agency must provide documentary evidence of its review and evaluation of institutions against its complaint processing and review requirements.. The agency must also provide its written policy/ standards as evidence.

**Analyst Remarks to Response:**

In the draft analysis it was noted that the MSCSS's standards are sufficiently detailed and clear to assess the institutions record of student complaints received by, or available to, the agency. The policy also requires the institution to maintain a record of complaints/grievances by students, their families, and members of the institution's community of stakeholders.

In response to the draft analysis the agency provided an site team report (Sec 4 Exhibit h.7) and the Commission's decision letter (uploaded Sec 602.16(a)(1)(i)) to the institution demonstrating its effective application of its review of the institution's compliance with its standards for accreditation and with its student complaint standards. The agency has not had the opportunity to review a distance education program this recognition cycle (MSCSS's Distance Education Standards have been determined compliant by the Department). The MSCSS's Standards for Accreditation and Distance Education can be found at (Exhibit 28: Sec 4 (a) (1)).

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**602.16(a)(1)(v) Fiscal/Administrative Capacity**

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

MSCSS standards are sufficiently detailed and clear to assess the Fiscal/Administrative Capacity of an institution. The agency also has defined expectations for the quality of the institution's fiscal capacity and administrative governance. The institution's distance



education delivery system is also included in the agency's evaluations of this section of the criteria.

However, the agency's did not provide any documentation (such as site visit reports) that demonstrates its evaluation of an institution against its fiscal and administrative capacity standard. In addition, the agency did not provide in this section, its written standards to evidence its fiscal and administrative capacity standards.

The agency must provide documentary evidence (such as site visit reports) of its review and evaluation of institutions against its fiscal/administrative capacity standards. The agency must also provide its written policy/ standards as evidence

**Analyst Remarks to Response :**

In the draft analysis it was noted that the MSCSS's standards are sufficiently detailed and clear to assess the Fiscal/Administrative Capacity of an institution. The agency also has defined expectations for the quality of the institution's fiscal capacity and administrative governance. The institution's distance education delivery system was also included in the agency's evaluations of this section of the criteria.

In response to the draft analysis the agency provided an site team report (Sec 4 Exhibit h.8 and h.9) and the Commission's decision letter (uploaded Sec 602.16(a)(1)(i)) to the institution demonstrating its effective application of its review of the institution's compliance with its standards for accreditation and with its fiscal and administrative standards. The agency has not had the opportunity to review a distance education program this recognition cycle (MSCSS's Distance Education Standards have been determined compliant by the Department). The MSCSS's Standards for Accreditation and Distance Education can be found at (Exhibit 28: Sec 4 (a) (1)).

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

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

MSCSS student services standards for accreditation are sufficiently detailed to assess its indicators for the quality of student services in the following areas: counseling services, orientation for new students, career awareness programs, distance education delivery, testing and other means to assess students aptitude, job placement assistance, advisement on student loan repayment requirements, handling of complaints and grievances by students, and healthcare services.

However, the agency did not provide any documentation in this section (such as site visit reports) that demonstrates its effective application of an institution against its student support services standards. In addition, the agency did not provide its written standards to evidence its student support services standards.

MSCSS does not meet the requirements of this section. The agency must provide documentary evidence (such as site visit reports) of its review and evaluation of institutions against its student support services standards. The agency must also provide its written policy/ standards as evidence.

**Analyst Remarks to Response :**

In the draft analysis it was noted that the MSCSS's student services standards for accreditation are sufficiently detailed to assess its indicators for the quality of student services in the following areas: counseling services, orientation for new students, career awareness programs, distance education delivery, testing and other means to assess students aptitude, job placement assistance, advisement on student loan repayment requirements, handling of complaints and grievances by students, and healthcare services.

In response to the draft analysis the agency provided an site team report (Sec 4 Exhibit h.10) and the Commission's decision letter (uploaded Sec 602.16(a)(1)(i)) to the institution demonstrating its effective application of its review of the institution's compliance with its standards for accreditation and with its student services standards. The agency has not had the opportunity to review a distance education program this recognition cycle (MSCSS's Distance Education Standards have been determined compliant by the Department). The MSCSS's Standards for Accreditation and Distance Education can be found at (Exhibit 28: Sec 4 (a) (1)).

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

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

MSCSS standards are sufficiently detailed and clear to assess an institution's recruiting and other practices and its policies as they apply to their recruiting and admissions, academic calendars, catalogs, publications, grading, and advertising. for compliance with its standards

However, the agency's did not provide any documentation (such as site visit reports) that demonstrates its effective application of its evaluation of an institution against its student services standard . In addition, the agency did not provide its written policy/standards to evidence its student support services standards.

The agency must provide documentary evidence (such as site visit reports) of its review and evaluation of institutions for their recruiting and admissions practices, academic calendars, catalogs, publications, grading, and advertising for compliance with its standards. The agency must also provide its written policy/ standards as evidence.

**Analyst Remarks to Response:**

In the draft analysis it was noted that the MSCSS's standards are sufficiently detailed and clear to assess an institution's recruiting and other practices and its policies as they apply to their recruiting and admissions, academic calendars, catalogs, publications, grading, and advertising. for compliance with its standards

In response to the draft analysis the agency provided an site team report (Sec 4 Exhibit h.5, h.10 and h.11) and the Commission's decision letter (uploaded Sec 602.16(a)(1)(i)) to the institution demonstrating its effective application of its review of the institution's compliance with its standards for accreditation and with its recruiting and admissions standards. The agency has not had the opportunity to review a distance education program this recognition cycle (MSCSS's Distance Education Standards have been determined compliant by the Department). The MSCSS's Standards for Accreditation and Distance Education can be found at (Exhibit 28: Sec 4 (a) (1)).

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**602.16(a)(1)(viii) Program Length**

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

MSCSS standards are sufficiently detailed and clear to assess the program length and the objectives of the degrees or credentials offered by its accredited institutions. In addition, the agency's educational program standards require that all programs be developed and monitored by qualified faculty within the institution and an advisory committee consisting primarily of business/industry representatives external to the institution.

However, the agency's did not provide any documentation in this section (such as site visit reports) that demonstrates its evaluation of an institution against its program length standards. In addition, the agency did not provide its written policy/standards to evidence its program length standards.

The agency must provide documentary evidence (such as site visit reports) of its review and evaluation of institutions against its program length standards including its review of the objectives of degrees or credentials offered at its accredited institutions. The agency must also provide its written policy/ standards as evidence.

**Analyst Remarks to Response:**

In the draft analysis it was noted that the MSCSS's standards are sufficiently detailed and clear to assess the program length and the objectives of the degrees or credentials offered by its accredited institutions. In addition, the agency's educational program standards require that all programs be developed and monitored by qualified faculty within the institution and an advisory committee consisting primarily of business/industry representatives external to the institution.

In response to the draft analysis the agency provided an site team report (Sec 4 Exhibit h.2) and the Commission's decision letter (uploaded Sec 602.16(a)(1)(i)) to the institution demonstrating its effective application of its review of the institution's compliance with its standards for accreditation and with its program standards. The agency has not had the opportunity to review a distance education program this recognition cycle (MSCSS's Distance Education Standards have been determined compliant by the Department). The MSCSS's Standards for Accreditation and Distance Education can be found at (Exhibit 28: Sec 4 (a) (1)).

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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**

MSCSS standards are sufficiently detailed and clear to assess the institution's compliance with the institution's program responsibilities under Title IV by reviewing , such as; an instruction's most recent student loan default rate data, the results of financial or compliance audits and program reviews. However, the agency did not provide any documentation in this section that demonstrates its evaluation of an institution against its Title IV requirement standards. The agency must provide documentation if its review of institutions for compliance with Title IV Responsibilities

**Analyst Remarks to Response:**

In the draft analysis it was noted that the MSCSS's standards are sufficiently detailed and clear to assess the institution's compliance with the institution's program responsibilities under Title IV by reviewing , such as; an instruction's most recent student loan default rate data, the results of financial or compliance audits and program reviews.

In response to the draft analysis the agency provided an site team report (Sec 4 Exhibit h.2 and h.4) and the Commission's decision letter (uploaded Sec 602.16(a)(1)(i)) to the institution demonstrating its effective application of its review of the institution's compliance with its standards for accreditation and with its Title IV standards. The agency has not had the opportunity to review a distance education program this recognition cycle (MSCSS's Distance Education Standards have been determined compliant by the Department). The MSCSS's Standards for Accreditation and Distance Education can be found at (Exhibit 28: Sec 4 (a) (1)).

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**602.16(b)(c) Distance/Correspondence Education**

**(b) If the agency only accredits programs and does not serve as an institutional accrediting agency for any of those programs, its accreditation standards must address the areas in paragraph (a)(1) of this section in terms of the type and level of the program rather than in terms of the institution.**

**(c) If the agency has or seeks to include within its scope of recognition the evaluation of the quality of institutions or programs offering distance education or correspondence education, the agency's standards must effectively address the quality of an institution's distance education or correspondence education in the areas identified in paragraph (a) (1) of this section. The agency is not required to have separate standards, procedures, or policies for the evaluation of distance education or correspondence education;**

MSCSS has six standards that are specific indicators of quality that address issues appropriate to institutions that deliver all or part of their educational program by a distance modality The agency's standards comply with the Secretary's definition and are sufficiently detailed and clear to assess the quality of distance education programs.

The agency's Distance Education Standards assure that; The content of its career/technical programs delivered by a distance education modality are similar to the content delivered in a face-to-face instructional environment, Student interaction (synchronous and asynchronous) with faculty and other students is facilitated through a variety of means as an essential characteristic of the educational program, Students and their families (if appropriate) are informed about any aspects of the educational program that are created or delivered by an organization other than the institution., Stated student performance outcomes for programs delivered through distance education are achievable through that methodology, Instructional materials are developed by authors qualified in distance education techniques, Textbooks and other instructional materials are suitable for distance learning, and the appropriate study skills necessary for students to utilize a distance education model effectively and efficiently are included as part of the educational program and instructional process. However, the agency did not provide any documentation that demonstrates its evaluation of an institution against its standards for distance education. In addition the agency must provide its written policy for distance education as evidence.

The agency must provide documentation (such as site visit reports) to demonstrate its review of distance education if it has reviewed such programs during this recognition period t The agency must also provide its written policy/standards for distance education as evidence.

**Analyst Remarks to Response:**

In the staff's draft analysis it was noted that the MSCSS has six standards that are specific indicators of quality that address issues appropriate to institutions that deliver all or part of their educational program by a distance modality The agency's standards comply with the Secretary's definition and are sufficiently detailed and clear to assess the quality of distance education programs. The agency has not had the opportunity to review a distance education program this recognition cycle. The MSCSS's Standards for Accreditation and Distance Education can be found at (Exhibit 28: Sec 4 (a) (1)).

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### **602.17(a) Mission & Objectives**

#### **(a) Evaluates whether an institution or program--**

- (1) Maintains clearly specified educational objectives that are consistent with its mission and appropriate in light of the degrees or certificates awarded;**
- (2) Is successful in achieving its stated objectives; and**
- (3) Maintains degree and certificate requirements that at least conform to commonly accepted standards;**

MSCSS cannot attest to this section of the criteria. MSCSS's standards are specific in outlining the agency's expectations that their accredited institutions clearly articulate that their purpose and goal is to train students in occupational fields for which they will seek employment. The agency's standards also outline the agency's expectations for congruence between an institution's mission, objectives, educational programming, student achievement and student outcomes. However, the agency did not provide any documentation that demonstrates its effective application of its evaluation of an institution against its Mission & Objectives standards.

The agency must provide documentation (such as a site visit report) to demonstrate the application of its mission & objectives standards. . The agency must also provide its written policy as evidence.

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

The institutions that are accredited by MSCSS must have missions that clearly articulate the goal to train students in occupational fields for which they will seek employment. The agency standards are clear in outlining the MSCSS's expectations for congruence between an institution's mission, objectives, educational programming, student achievement and student outcomes. The agency's documentation (team reports and supporting documentation) ( Sec 14 Exhibits h.13, 4 and 15) provides evidence of its evaluation of the credential requirements of an institution's educational programs, the institution's mission and its success in meeting its mission.

The agency has not had the opportunity to review a distance education program this recognition cycle (MSCSS's Distance Education Standards have been determined compliant by the Department). The MSCSS's Standards for Accreditation and Distance Education can be found at (Exhibit 28: Sec 4 (a) (1)).

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### **602.17(f) Report on Compliance & Student Achievement**

#### **(f) Provides the institution or program with a detailed written report that assesses--**

- (1) The institution's or program's compliance with the agency's standards, including areas needing improvement; and**
- (2) The institution's or program's performance with respect to student achievement; and**

MSCSS cannot attest to this section of the criteria. The agency must demonstrate that it has the appropriate standards and written procedures for documenting and communicating a detailed assessment and reporting of an institution's compliance with its standards including the institution's success with respect to student achievement.

The agency's did not provide any documentation (such as a site team report or commission decision letter) to demonstrate that it provides institutions with a detailed written assessment of its compliance with the agencies standards including the institutions performance with respect student achievement

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

MSCSS's Self-Study and Accreditation Protocol requires the institution to calculate and evaluate students' achievement within each career and technical program, (Sec. 4 Exhibit a.2). The Educational Program Standard addresses the quality of the institution's

programs and requires a focus on student achievement in relation to the institution's mission. The Assessment of Student Learning Standard provides direct emphasis on student achievement. The Standard states: "Progress in student learning and performance is expected and is accurately, clearly, and systematically reported to the school community. Students learn and perform at levels expected, or progress is being made to raise results accordingly." The School Improvement Planning Standard provides direct emphasis on student achievement. The Standard states: "Plans are aligned with the school's mission and its operational plans, and are focused on continuous improvement of student performance, staff, professional and organizational growth. The MSCSS's Standards for Accreditation and Distance Education can be found at (Exhibit 28: Sec 4 (a)(1)).

The MSCSS has written procedures for documenting a detailed assessment and reporting of an institution's compliance with its standards including the institution's success with respect to student achievement. The agency uses the Team Summary Report to communicate the extent to which an institution meets the agency's standards. Review of the site team report verifies that the agency provides a clear and comprehensive assessment of the extent to which the institution complies with the agency's expectations. Areas of non-compliance are equally clear and communicated via a decision letter to the entity. The agency provided documentation demonstrating the application of its student achievement standards and the requirements of this section of the criteria. (Sec 4 Exhibits h.1 and h.2)

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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.**

MSCSS cannot attest to this section of the criteria. The agency must provide documentation to demonstrate that it has in place a mechanism to identify problems with an institution's continuing compliance with agency standards which include but is not limited to fiscal information and measures of student achievement

The agency documentation could include the institution's annual report, if the institution provides one, sample periodic reports and evidence of the agency's collection and analysis of key data and indicators that include measures of student achievement and fiscal information as noted previously

The agency must provide documentation that demonstrates it employs an effective monitoring review process. The agency must also provide its written policy as evidence

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

MSCSS 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 (Sec 4 Exhibit h.3) 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's standards ((Exhibit 28: Sec 4 (a)(1)), lists the breadth of actions it takes as the result of its monitoring efforts and also list the documentation required to demonstrating the application of its standards and the requirements of this section of the criteria. (Standard .3.12.7. Monitoring Reports for Compliance with the Requirements for Accreditation) (a). After each academic year, accredited career and technical institutions will submit an Annual Report to the Commission in which the institution provides evidence of its continued compliance with the Standards for Accreditation, the other requirements for accreditation, and the general status, condition, and viability of the institution. (b). In the fifth year of the accreditation term, accredited career and technical institutions will submit a Five-Year Report to the Commission in which the institution provides evidence of its continued compliance with the Standards for Accreditation, the other requirements for accreditation, and the general status, condition, and viability of the institution. This Report, when verified by an onsite visit, will be used by the Commission to determine whether the institution's accreditation should be renewed for an additional five years.

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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.**

MSCSS cannot attest to this section of the criteria. The agency must demonstrate that it has written policies which clearly reflect that the total time allowed for all corrective action, beginning with the identification of a non-compliance with agency standards, and ends with and action by the commission; which might include taking immediate adverse action or allowing the institution additional time to demonstrate compliance (which does not exceed the timelines established by this section). It also needs to demonstrate that it took immediate adverse action against the institution or program if appropriate and/or required the institution 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.

The agency must provide documentation to demonstrate that it employs an effective enforcement timeline review process that meets the specific timelines required by this section. This documentation must clearly demonstrate the agency adherence to the enforcement timelines required by this section. The agency must also provide its written policy as evidence.

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

In response to the Department's staff draft analysis, the MSCSS provided its policies and procedures (Sec 4 Exhibit h.16) that specify that corrective action begins with identification of an issue of non-compliance to a standard and a time-frame for resolution, The agency standards ((Exhibit 28: Sec 4 (a)(1)) Pg.116) identify the length of the programs which are the subject of the actions against the institution. The time limits to bring the institution into compliance are based on the length of time of the longest program within the institution from enrollment to student completion as follows: Greater than two years, up to two years, and between one and two years, up to 18 months, one year or less and Up to 12 months. Time limits are based upon the date of Commission's accreditation action. The Commission may, at its discretion, require an institution to report on progress sooner than the maximum time allowed, and may, for good cause (e.g. demonstration of good faith efforts to remedy existing deficiencies and a reasonable expectation that deficiencies will be remedied within the period of extension), extend the time for demonstrating compliance. The agency has not had the opportunity to take any adverse action against an institution during this review period

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#### **602.20(b) Enforcement Action**

**(b) If the institution or program does not bring itself into compliance within the specified period, the agency must take immediate adverse action unless the agency, for good cause, extends the period for achieving compliance.**

MSCSS cannot attest to this section of the criteria. The agency must demonstrate that it has written policies that defines what would constitute a good cause extension, the length of time for a good cause extension and the maximum number of good cause extensions that could be awarded to an institution.

The agency did not provide any documentation that demonstrates the application of its good cause extension policy, nor did it provide its written policy as evidence.

The agency must provide documentation that it employs an effective enforcement action policy that meets the requirements of this section. The agency must also provide documentation to demonstrate the application of its written policy. In addition, the agency must provide its written policy as evidence

**Analyst Remarks to Response:**

MSCSS Standards of Accreditation, outline the agency's extension for good cause policies describing the agency's definition of, and what would constitute good cause, including the time limits it would allow the institution to come into compliance (Sec 4 Exhibit h.17). The agency's enforcement standards are documented in (Exhibit 28: Sec 4 (a)(1) Pg. 117). MSA-CSS has not had an opportunity to demonstrate the application of this criteria. .

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**602.22(a)(1) Approval of Substantive Changes**

**(a) If the agency accredits institutions, it must maintain adequate substantive change policies that ensure that any substantive change to the educational mission, program, or programs of an institution after the agency has accredited or preaccredited the institution does not adversely affect the capacity of the institution to continue to meet the agency's standards. The agency meets this requirement if--**

**(1) The agency requires the institution to obtain the agency's approval of the substantive change before the agency includes the change in the scope of accreditation or preaccreditation it previously granted to the institution; and**

MSCSS standards are sufficiently detailed and clear to assess any substantive change to requested by its accredited institutions. The agency polices also requires that all substantive change request must be approved by the full Commission before the change is included in the institution's grant of accreditation. The agency's substantive change policy is found in the Standards of Accreditation which meets the requirements of this criterion. However, the agency did not provide any documentation that demonstrates its effective application of its evaluation of an institution against its Substantive Change standards.

The agency must provide documentation that it employs an effective substantive change review process. The agency must provide documentation to demonstrate the full cycle of review which would include the following: the institution's request for substantive change approval, the agency's review, and approval of the requested substantive change

**Analyst Remarks to Response:**

In the draft analysis it was noted that the MSCSS's standards are sufficiently detailed and clear to assess any substantive change to requested by its accredited institutions. The agency polices also requires that all substantive change request must be approved by the full Commission before the change is included in the institution's grant of accreditation. The agency's substantive change policy is found in the Standards of Accreditation (Exhibit 28: Sec 4 (a)(1)) which meets the requirements of this criterion

In response to the draft analysis the agency provided documentation demonstrating application of the requirements of this section. (Exhibit 38: Section 5 Exhibit a.5 Sec.5.a.5 Sub Change Request and Exhibit 39: Section 5 Exhibit a.6 Sec.5.a.6 Sub Change Request Recommend Approval).

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**602.22(a)(2)(i-vii) Types of Substantive Change**

**(2)The agency's definition of substantive change includes at least the following types of change:**

**(i) Any change in the established mission or objectives of the institution.**

**(ii) Any change in the legal status, form of control, or ownership of the institution.**

**(iii) The addition of courses or programs that represent a significant departure from the existing offerings of educational programs, or method of delivery, from those that were offered when the agency last evaluated the institution.**

(iv) The addition of programs of study at a degree or credential level different from that which is included in the institution's current accreditation or preaccreditation.

(v) A change from clock hours to credit hours.

(vi) A substantial increase in the number of clock or credit hours awarded for successful completion of a program.

(vii) If the agency's accreditation of an institution enables the institution to seek eligibility to participate in title IV, HEA programs, the entering into a contract under which an institution or organization not certified to participate in the title IV, HEA programs offers more than 25 percent of one or more of the accredited institution's educational programs.

MSCSS provided its policies addressing the types of and definitions of substantive changes that require prior commission approval. The agency's procedures for reviewing various types of substantive changes are specific to the type of change being proposed. Its process includes the review of a written request and commission approval. The agency's substantive change policy includes all of the types of substantive changes required by this criterion. However, the agency's did not provide any documentation that demonstrates its effective application of its evaluation of an institution against its substantive change standards.

The agency must provide documentation to demonstrate its approval process for several types of substantive change request. The agency must also provide its written policy as evidence.

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

In the staff's draft analysis it was noted that the MSCSS' provided its policies addressing the types of and definitions of substantive changes that require prior commission approval. The agency's procedures for reviewing various types of substantive changes are specific to the type of change being proposed. Its process includes the review of a written request and commission approval. The agency's substantive change policy includes all of the types of substantive changes required by this criterion

In response to the draft analysis the agency provided documentation demonstrating its effective application of its review of the programs types of substantive change ( Sec. 5 Exhibits a.1 – a.3). The MSCSS's Standards for Accreditation and Distance Education can be found at (Exhibit 28: Sec 4 (a)(1)).

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## **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)